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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 8, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynn

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursdays

1:00 PM

1st and 3rd Mondays

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Eraşmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the November 20, 2007, December 4, 2007 and December 11, 2007 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

1. 071436 [Appropriating \$33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.
(Fiscal Impact.)

12/11/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 071469 [Accept-Expend Federal Grant - Sheriff's Department]
Supervisor Alioto-Pier
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of \$391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

12/11/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Dufty

3. 071568 [Appropriating \$250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.
(Fiscal Impact.)

12/11/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

4. 070134 [Golden Gate Park-Authorization to Construct Skate Park]
Supervisors Mirkarimi, Alioto-Pier
Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

12/11/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 070508 [Banning alcohol in children's play areas]
Supervisors Alioto-Pier, Chu
Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.

12/11/2007, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Sandoval

6. 071508 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Wayland Street at Girard Street, stopping Wayland Street, making this intersection an All-Way STOP;
18th Street and San Carlos Street, stopping San Carlos Street;

Byxbee and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Ralston and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Delano and Santa Ynez Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Delano and San Juan Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Ostego and Santa Ynez Avenues, stopping Santa Ynez Avenue, making this intersection an All-Way STOP;

Marview Way and Palo Alto Avenue, stopping westbound Palo Alto Avenue;

Annapolis Terrace at Turk Boulevard;

Roselyn Terrace at Turk Boulevard;

Kittredge Terrace at Turk Boulevard; and,

Temescal Terrace at Turk Boulevard.

(Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

Question: Shall this Resolution be ADOPTED?

7. 071509 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH

Ocean Avenue, eastbound at Howth Street.

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH

Armstrong Avenue, westbound, at 3rd Street, (after events at Monster Park)

(Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

Question: Shall this Resolution be ADOPTED?

8. 071510 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.
UNMETERED MOTORCYCLE PARKING - ESTABLISH
27th Avenue, west side, from driveway of 671 27th Avenue to 5.5 feet northerly.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 5 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH

Belgrave Avenue, both sides, from west of Stanyan Street to the eastern terminus.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM TO 8 PM,
MONDAY THROUGH SATURDAY) - ESTABLISH

Hill Street, both sides, between Guerrero and Valencia Streets (Unit block).

RESIDENTIAL PERMIT PARKING AREA "N" - ESTABLISH

Fulton Street, north side, between 14th and 15th Avenues (3800 block).

Note: No signs will be posted on the block, but residents will be eligible for permits.

PARKING METERS, AREA NO. 3 (30-MINUTE AND 1-HOUR PARKING TIME LIMITS, 9 AM
TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

La Playa Street, east side, between Balboa and Cabrillo Streets (700 block).

VANPOOL PARKING ONLY, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND

Van Ness Avenue, east side, between McAllister Street and Grove Street.

TOW-AWAY, NO STOPPING - ESTABLISH

5th Street, west side, from Harrison Street to 120 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Holyoke Street, south side, from Ankeny Street to 120 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM,
MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 23rd and 24th Streets (1100 block).

COMPACT VEHICLES ONLY - ESTABLISH

1608 Treat Avenue, west side, from 5 feet to 12.5 feet north of the north property line of 1651 Treat
Avenue (creates one compact car parking box measuring 7.5 feet wide by 13 feet long).

TOW-AWAY, NO PARKING, MIDNIGHT TO 10 A.M., MONDAY THROUGH FRIDAY -
ESTABLISH

15th Street, north side, between Florida and Bryant Streets.

PARKING METERS AREA 2, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY
THROUGH SATURDAY) - ESTABLISH

Townsend Street, south side, between 7th and 8th Streets, on portions where parking is not prohibited.

PARKING METERS, AREA NO. 3, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM,
MONDAY THROUGH SATURDAY) - RESCIND

Masonic Avenue, east side, north of Turk Street (200 block).

(Parking and Traffic Department)

(11/2/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and
parking regulations where such changes do not establish a higher speed limit or result in more than a
negligible increase in the use of the street; DPT Order No. 3430.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

9. 071609 [Appointment - Sunshine Ordinance Task Force 2000]
Resolution appointing Marjorie Ann Williams, term ending April 27, 2009 to the Sunshine Ordinance Task Force.
Marjorie Ann Williams, succeeding herself, term expired, seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for the unexpired portion of a two-year term ending April 27, 2009.

Question: Shall this Resolution be ADOPTED?

10. 071610 [Appointment - Mental Health Board]
Resolution appointing Richard Rodriguez, term ending January 31, 2010, to the Mental Health Board. Richard Rodriguez, succeeding Rebecca Turner, resigned, seat 15, must be a health professional, for the unexpired portion of a three-year term ending January 31, 2010.

Question: Shall this Resolution be ADOPTED?

11. 071611 [Appointment - Developmental Disabilities Area Board V]
Resolution appointing Levi Nnaemeka and Donna Adkins, terms ending December 31, 2010, to Developmental Disabilities Area Board V.
Levi Nnaemeka, succeeding himself, term expired, seat 1, must represent the general public, for a new three-year term ending December 31, 2010.
Donna Adkins, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2010.

Question: Shall this Resolution be ADOPTED?

12. 071617 [Appointment - Sweatfree Procurement Advisory Group]
Resolution appointing Jason Oringer, Alicia Culver, Sarah Leiber Church and Virginia Villegas, terms ending December 17, 2009, to the Sweatfree Procurement Advisory Group, residency requirement waived.
Jason Oringer, succeeding himself, term expired, seat 1, must have significant experience representing employees in labor matters, for a two-year term ending December 17, 2009.
Alicia Culver (residency requirement waived), succeeding herself, term expired, seat 2, must have significant experience acquiring goods or services for a public entity, for a two-year term ending December 17, 2009.
Sarah Leiber Church (residency requirement waived), succeeding herself, term expired, seat 3, must have significant experience as an advocate for human rights or the poor, for a two-year term ending December 17, 2009.
Virginia Villegas, succeeding herself, term expired, seat 5, must be a member of the public, for a two-year term ending December 17, 2009.

Question: Shall this Resolution be ADOPTED?

13. 071619 [Appointment - San Francisco Health Authority]
Resolution appointing Linda Bien, term ending January 15, 2010, to the San Francisco Health Authority, residency requirement waived.
Linda Bien, succeeding herself, term expired, seat 6, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for the unexpired portion of a three-year term ending January 15, 2010.

Question: Shall this Resolution be ADOPTED?

14. 071654 [Appointment - Local Homeless Coordinating Board]
Resolution appointing Wendy Phillips, term ending October 21, 2010, to the Local Homeless Coordinating Board.
Wendy Phillips, succeeding L. S. Wilson, Jr., resigned, seat 2, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Elsbernd

15. 071550 [Appointment - Asthma Task Force]
Resolution appointing Denysius Cruz and Michelle Reyes, terms ending July 1, 2008, to the Asthma Task Force.
Denysius Cruz, succeeding Mariaelena Alioto, term expired, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.
Michelle Reyes, succeeding Veronica Lightfoot, term expired, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for the unexpired portion of a new two-year term ending July 1, 2008.

Question: Shall this Resolution be ADOPTED?

16. 071618 [Appointment - Children and Families First Commission]
Resolution appointing Maria X. Martinez and September Jarrett, for indefinite terms, to the Children and Families First Commission.
Maria X. Martinez, succeeding Virginia Snyly, resigned, seat 1, must be the Director of Public Health or his/her designee, for an indefinite term.
September Jarrett, succeeding Margaret Brodtkin, resigned, seat 4, must be the Director of the Office of Children, Youth and Their Families or his or her designee, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Peskin

17. 071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]
Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: McGoldrick, Alioto-Pier, Chu

19. 071089 [Warning on cough and cold medicine for infants and young children ordinance]
Supervisors Alioto-Pier, Dufty
Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.
- 10/23/2007, RE-REFERRED to City Operations and Neighborhood Services Committee.
12/11/2007, AMENDED.
12/11/2007, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

20. 071538 [Imposing a suppression order upon the Board of Supervisors]
Supervisor Sandoval
Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.
- 12/4/2007, CONTINUED. Continued to January 8, 2008
Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

21. 071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]
Supervisor Elsbernd
Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.
(Supervisor Daly dissented in Committee.)
(Fiscal Impact.)
- 12/11/2007, CONTINUED. Continued to January 8, 2008
Question: Shall this Resolution be ADOPTED?

Board of Supervisors Sitting as a Committee of the Whole

22. 071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]
Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick
Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

11/6/2007, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title.
(Referred to Departments)

11/20/2007, CONTINUED AS AMENDED. Continued as amended to December 4, 2007 with the Board Sitting as Committee of the Whole at 3:00 p.m.

12/4/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

12/4/2007, CONTINUED AS AMENDED.

12/11/2007, AMENDED.

12/11/2007, CONTINUED AS AMENDED. Continued to January 8, 2008 with the Board Sitting as a Committee of the Whole

Supervisors Maxwell, Sandoval, Dufty and McGoldrick requested to be added as co-sponsors.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

23. 071521 [Public Works Code - cafe tables and chairs permit fee]
Supervisors Chu, Dufty
Ordinance amending Public Works Code Sections 2.1.1 to update the cafe tables and chairs permit fee and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano

24. 071594 [Grant to support substance abuse and HIV/AIDS related services]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration and the Center for Substance Abuse Treatment (SAMHSA/CSAT) in the amount of \$397,919 for the period of September 30, 2007 through September 29, 2008, and a subcontract with Asian and Pacific Islander Wellness Center for \$318,619 for the same time period.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Aliolto-Pier, Daly

25. 071136 [Recreation and Park Department - Camping, Sleeping]
Mayor
Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.
(Supervisor Daly dissented in Committee.)

11/13/2007, CONTINUED. Continued to November 20, 2007

11/20/2007, RE-REFERRED to Government Audit and Oversight Committee. Refer matter to the Local Homeless Coordinating Board and schedule as soon as possible at GAO.

11/21/07 - Referred to the Local Homeless Coordinating Board for review and comment.

12/10/07 - Response received from Local Homeless Coordinating Board.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

26. 071441 [Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to end predatory loan practices]
Supervisor Ammiano
Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

10/23/2007, REFERRED to Land Use and Economic Development Committee.

12/4/2007, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing the same title.

Question: Shall this Resolution be ADOPTED?

27. 071634 [San Francisco Fair Lending Working Group]
Supervisors Maxwell, Ammiano
Resolution establishing a San Francisco Fair Lending Working Group, comprised of industry, community, and City representatives, to study and recommend responses to the current mortgage foreclosure crisis and to provide an initial progress report to the Board of Supervisors within 45 days of its first meeting.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

28. 071536 [Access to and retention of community safety camera recordings]
Supervisor Sandoval
Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

29. 071553 [Authorizing Tax Collector Attorney to file suit against a responsible relative of recipient of services at City hospitals to recover value of services]
Resolution authorizing Tax Collector Attorney to file suit against a responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health.
(Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Elsbernd

30. 071565 [Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

31. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.11341E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar) (Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

32. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
Question: Shall this Motion be APPROVED?
33. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
Question: Shall this Motion be APPROVED?
34. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
Question: Shall this Motion be APPROVED?

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 37 through 42

37. 071680 [Urging the California State Assembly to pass Assembly Bill 23]
Supervisors Duffy, Annmiano, Peskin, Mirkarimi, Sandoval
Resolution urging the California State Assembly to pass Assembly Bill 23.

12/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 071682 [Approval of an additional 120-day extension for Planning Commission review in order to allow the Planning Department to meet the goals of this legislation through the Eastern Neighborhoods Rezoning]
Supervisor Daly
Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

12/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 071683 [Approval of a 90 day extension for Planning Commission review for Planning Code Amendment of C-3 Development Impact Fees]
Supervisor Daly
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, General Plan findings, and other required findings.
- 12/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 080007 [Final Map - 3520 20th Street]
Motion approving Final Map 4263, a 14 Unit Residential and 3 Unit Commercial Mixed-Use Condominium Project, located at 3520 20th Street being a subdivision of Lot 120 in Assessors Block No. 3596 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,279; District 9.)
- 12/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
41. 080008 [Final Map - 3350 20th Street]
Motion approving Final Map 4398, a 6 Residential Unit and 2 Commercial Unit Mixed – Use Condominium Project, located at 3350 20th Street being a subdivision of Lot 015 in Assessors Block No. 3594 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,297; District 9.)
- 12/7/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
42. 080009 [Final Map - 300 Laguna Honda Boulevard]
Motion approving Final Map 2712, a 22 Unit Residential Condominium Project, located at 300 Laguna Honda Boulevard being a subdivision of Lot 001 in Assessors Block No. 2864 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order 177,301; District 7.)
- 12/11/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from December 4, 2007 through December 31, 2007 for reference by President to the appropriate committee on January 8, 2008.

080002 [Settlement of Lawsuit - Daniel Worrell]

Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for \$585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al.
(City Attorney)

12/7/2007, RECEIVED AND ASSIGNED to Rules Committee.

080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al.
(City Attorney)

12/20/2007, RECEIVED AND ASSIGNED to Rules Committee.

080019 [Implementing the Controller's Whistleblower Program]

Ordinance amending the Campaign and Governmental Conduct Code by amending Sections 4.100 and 4.115 and adding Sections 4.107 and 4.123 to implement the provisions of Charter Appendix F1.107 for the operation of the Controller's Whistleblower Program, to protect the confidentiality of whistleblowers and the investigation of complaints, and to provide protection from retaliation, and repealing Section 4.125 and adding a new Section 4.125 to prohibit the furnishing of false information in, and require cooperation with, whistleblower investigations conducted by the Controller or any other officer or department.
(Controller)

12/26/2007, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from December 4, 2007 through December 31, 2007 for reference by President to the appropriate committee on January 8, 2008.

080003 [Acceptance of gift of traffic signal system]

Resolution accepting a gift from 765 Market Street Center Association of (1) the construction of a traffic signal system at Third and Stevenson Streets; (2) reimbursement to MTA of all administrative and other costs to design and inspect construction of the system, estimated at \$75,000, and (3) \$90,000 for the Department of Parking and Traffic to maintain the system for its useful life. (Municipal Transportation Agency)

12/10/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080004 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS – ESTABLISH

Liberty and Sanchez Streets, stopping Sanchez Street, making this uncontrolled intersection a two-way STOP;

Bella Vista Way at Los Palmos Drive, stopping the stem of this currently uncontrolled T- intersection;

7th Avenue and Anza Street, stopping Anza Street, making this intersection an All-way STOP;

South Park Avenue, eastbound at 2nd Street; and,

South Park Avenue, westbound, at 3rd Street.

(Parking and Traffic Department)

(12/07/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3342.)

12/12/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080005 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - RESCIND

The Embarcadero, westbound approach, from Powell Street to 170 feet easterly (to establish a streetcar-only lane)

(Parking and Traffic Department)

(12/07/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3342.)

12/12/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080006 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Bromley Place, north and south sides, east of Webster Street

DIAGONAL (30-DEGREE ANGLE) PARKING - RESCIND
PARALLEL PARKING - ESTABLISH
Geneva Avenue, both sides, between London and Paris Streets

PARKING METER AREA NO. 3 (9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HR TIME LIMIT) - EXTENSION
Paris Street, west side, from 77 feet to 97 feet southerly (adds one parking meter); and,
London Street, west side, from 40 feet to 60 feet northerly (adds one parking meter)

2-HOUR TIME LIMIT PARKING, 7AM TO 6 PM, MONDAY THROUGH FRIDAY – RESCIND
PARKING METER AREA 1 (9 AM TO 6PM, MONDAY THROUGH SATURDAY, 2-HOUR TIME LIMIT) - ESTABLISH
Townsend Street, north side, from 4th Street to 130 feet westerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Mint Street, east side, from Mission Street to Jessie Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Mint Street, west side, from Mission Street to 115 feet northerly.

NO PARKING ANYTIME - ESTABLISH
2nd Street, west side, from South Park Avenue to 15 feet northerly (eliminating parking meter 542 to establish painted median island).

PARKING METER AREA 3 – RESCIND
RESIDENTIAL PERMIT PARKING AREA “I,” 2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
19th Street, both sides, between Capp Street and South Van Ness Avenue;
20th Street, both sides, between Capp Street and South Van Ness Avenue; and,
21st Street, both sides, between Capp Street and South Van Ness Avenue.

PARKING METER AREA 3 - RESCIND
RESIDENTIAL PERMIT PARKING AREA "S" 2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
14th Street, both sides, from Valencia Street to 80 feet westerly.

TOW-AWAY, NO STOPPING ON MONSTER PARK EVENT DAYS – ESTABLISH
Gilman Avenue, south side, from Third Street to 121 feet easterly; and,
Jennings Street, west side, from Gilman Avenue to 12 feet southerly.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Fulton Street, north side, from Masonic Avenue to Central Avenue; and,
Masonic Avenue, east side, from Fulton Street to McAllister Street

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Fulton Street, south side, from Masonic Avenue to 245 feet easterly

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Union Street, south side, between the driveways of 1227-31 and 1233-35 Union

Street

(Parking and Traffic Department)

(12/07/07 – Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3342.)

12/12/2007, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080018

[Public Auction]

Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.

(Treasurer-Tax Collector)

12/26/2007, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080020 [Petitions and Communications, Part 1]

Petitions and Communications received from December 4, 2007 through December 31, 2007 for reference by the President to January 8, 2008.
Part 1.

From Building Inspection Commission, submitting findings regarding 770 Powell Street (site permit No. 200105239812). (1)

From Department of Elections, regarding Manual Count of Four Measures on All Absentee Ballots Cast in November 6, 2007 Election. Copies: Each Supervisor (2)

From Department of Human Resources, submitting Status Update on the Human Resources Management Information System Project. Copies: Each Supervisor (3)

From Trinity County Board of Supervisors, submitting a copy of letter to California Department of Mental Health regarding the lack of timely reimbursement from State for mental health services. (4)

From The San Francisco Graffiti Advisory Board, submitting 2006-2007 Annual Report for period July 2006 through June 2007. (5)

From Office of the Controller – Office of Economic Analysis, submitting Gasoline Station Divorcement Legislation Economic Impact Report. File No. 071426 (6)

From Office of the Controller, submitting Unaudited Financial Report for 2006-2007. (7)

From Office of the Sheriff – Finance, submitting Inmate Welfare Fund Annual Report. (8)

From Office of the Mayor, designating Supervisor Chu as Acting Mayor from December 14, 2007 until December 16, 2007. Copies: City Attorney & Each Supervisor. (9)

From Office of the Mayor, designating Supervisor Elsbernd as Acting Mayor from December 6, 2006 until December 10, 2007. Copies: City Attorney & Each Supervisor. (10)

From San Francisco International Airport, submitting a copy of Chapter 12B Waiver Request for Multiple Non-Compliant Prospective Contractors, CIFG Assurance North America, Inc, Ambac Assurance Corporation as bond insurers for Airport Revenue Refunding Bonds, Issues 34 and 35. (11)

From San Francisco Public Utilities Commission, submitting Public Utilities Revenue Bond Oversight Committee Financial Review of Water System Improvement Program. (12)

From Brandt-Hawley Law Group, submitting support of the Appeal of Categorical Exemption, Case No. 2006-1415D regarding 2721 Pierce Street. File No. 071265, Copies: City Attorney & Each Supervisor. (13)

From Department of Public Health, submitting Maria X. Martinez as DPH's nomination to the San Francisco Children and Families First Commission. (14)

From Supervisor Alioto-Pier, submitting a copy of memo to Supervisor Maxwell regarding scheduling Hearing Alternatives to the Proposed Combustion Turbine Project. File No. 071485. (15)

From concerned citizens, expressing concerns regarding staffing shortages and morale of Dispatchers at the 9-1-1 Emergency Communication Division. Copies: Each Supervisor, Received 2 Letters. (16)

From Elections Commission, submitting support for the approval of the Sequoia Voting Systems contract. File No.071404, Copies: Each Supervisor. (17)

From Clerk of the Board, submitting response regarding month to month leases (Reference 20071016-001). (18)

From Department of Telecommunications and Information Services, submitting response regarding month to month leases. (Reference 20071016-036) (19)

From Department of Aging and Adult Services, submitting Community Living Fund (CLF): Program for Case Management, and Purchase of Resources and Services 6 Month Report. (20)

From Department of the Environment, submitting Peak Oil Preparedness Task Force Attendance Policy. (21)

From Office of the Mayor, submitting Executive Directive 07-09 regarding Information Technology Oversight. Copies: Each Supervisor (22)

From concerned citizen, submitting opposition to making Doyle Drive a toll road. Copies: Each Supervisor (23)

From concerned citizens, submitting opposition to the Folsom Street Fair. Received 3 Letters (24)

From Bob Gibson, submitting concerns relating to various SFPD issues. Copies: Each Supervisor (25)

From Muriel Wanderer, submitting concerns regarding the way the Library Citizens Advisory Committee meeting was conducted. Copies: Each Supervisor (26)

From Ivan Pratt, expressing concerns regarding health issues and care received at Tom Waddell Clinic. (27)

From the Department of Elections, submitting Official Statement of Vote – Tuesday, November 6, 2007 election. (28)

From Planning Department, submitting response to Board inquiry on the status of 2660 Harrison. (29)

From City Attorney, submitting letter regarding San Francisco Gang Injunction Exit Process. Copies: Each Supervisor (30)

From California Public Utilities Commission, submitting notification of application filing by Pacific Gas and Electric Company for approval to recover in rates the cost of the Smartmeter Program Upgrade. (31)

From Office of the Treasurer, submitting the investment activity of the portfolios under Treasurer's management from July 1, 2007 to November 30, 2007. (32)

From Town of Portola Valley, submitting Notice of Town Council Reorganization. (33)

From King Security Services, submitting request for support of Security Services Contract for MTA effective Jan. 1, 2008. File No.071593, Copies: Each Supervisor (34)

From Sunshine Ordinance Task Force, submitting letter regarding 2006 Annual Report. (35)

From SF Homeless Yahoo Group, regarding CA State Restaurant Meal Program Web Page being allegedly inaccurate/misleading. (36)

From Patrick Monette-Shaw, submitting copy of letter to Citizen's General Obligation Bond Oversight Committee regarding Laguna Honda Hospital Replacement Project \$302 Million cost Overrun, 75% Above Original Budget. (37)

From Ann Garrison, submitting opposition to settlement of lawsuit – PG&E vs CCSF. File No. 071459, Copies: Each Supervisor (38)

From James Chaffee, regarding the broadcasted version of the 12/4/07 Board meeting on SFGTV. (39)

From concerned citizens, submitting support for the City Bike Plan. Copy: Each Supervisor, Received 3 Letters (40)

From Municipal Transportation Agency, submitting response to request to remove graffiti from various locations in the City (Reference #2007-0925-008, 20070925-066, 20071106-003, and 20071106-004). (41)

From concerned citizens, submitting support for proposed Waller Street Skate Park. File No. 070134, Copies: Each Supervisor. Received 2 Letters (42)

From IB&A Architecture, submitting proposed design for 2299 Market Street. (43)

From Golden Gate National Recreation Area, submitting response regarding the Bay Oil Spill (Reference #2007113-002). (44)

From Lydia Vincent, submitting suggestion that welfare recipients be required to be drug tested. Copies: Each Supervisor (45)

From Penny Skillman, submitting copy of letter to Fire Chief commending the City's NERT Program. (46)

From Robert Coulter, submitting support for the City enacting the "predatory booze" law like Tacoma, Washington. Copies: Each Supervisor (47)

From Freedom Sun, seeking assistance to help women feel safe at the City's detox facility. Copies: Each Supervisor (48)

From Gary Cicotte, submitting Australian Gun Law Update and concerns regarding crime and graffiti in the City. Received 2 Letters (49)

From Office of the Mayor, designating Supervisor Chu as Acting Mayor from 10:40am, December 21, 2007 until 9:40pm, December 21, 2007. Copies: City Attorney and Each Supervisor (50)

From Office of the Mayor, designating Supervisor Elsbernd as Acting Mayor from December 26, 2007 until December 29, 2007 and Supervisor Alioto-Pier as Acting Mayor from December 30, 2007 until January 1, 2008. Copies: City Attorney and Each Supervisor (51)

From Julie Satterwhite, submitting support for proposed new six-story mixed-use condominium at Polk and Pacific. (52)

From Jennifer Sand, submitting opposition for proposed new six-story mixed-use condominium at Polk and Pacific. (53)

From Charles Sears II, concerning crime in the Tenderloin and noise at Glide Memorial Church. Copy: Supervisor Daly (54)

From Richard Everett, concerning City health insurance cost. (55)

From Andre Higginbotham, concerning DPT's metering in the City. (56)

From Jeanette Berger, submitting suggestion to have DPT open 24 hours. (57)

From John Duffen, expressing concerns regarding Gazebo Smoke Shop located at 499 O'Farrell.
Copy: Supervisor Daly (58)

From Ray Lucas, submitting support for legislation regarding illegal camping and cooking in City
parks. File No. 071136, Copies: Each Supervisor, Received 2 Letters (59)

From Thomas Nuyens, concerning smoking on the City's golf courses. (60)

080021 [Petitions and Communications, Part 2]

Petitions and Communications received from December 4, 2007 through December 31, 2007 for reference by the President to January 8, 2008.
Part 2.

From US Army Corps of Engineers, submitting San Francisco District Public Notice regarding Petaluma Hill Village. (61)

From US Army Corps of Engineers, submitting San Francisco District Public Notice regarding Todd Village. (62)

From concerned citizens, submitting support for Michael Savage's right to freedom of speech. Received 8 Letters (63)

From Pauline Rotunda, concerning the City's garbage contract. Copy: Supervisor Daly (64)

From Donald Maruyama, submitting support for the plastic bag ban in the City. (65)

From Greater West Portal Neighborhood Association, expressing concerns regarding the proposed closure of 22 psychiatric beds at San Francisco General Hospital after January 1, 2008. (66)

From Office of the Legislative Analyst, submitting Legislative Analyst Report regarding Crime Gun Tracing (OLA No. 024-07). File No. 070537 (67)

From Fish and Game Commission, submitting copy of the notice of proposed regulatory action relating to nuisance Canada geese. (68)

From Real Estate Division, regarding the proposed legislation which would vacate the Ingleside Path and authorize the quit claim of the City's interest. File No. 070460 (69)

From Municipal Transportation Agency, submitting a copy of letter to SF Bicycle Coalition regarding Market St. and Octavia Blvd. Intersection Design Charrette Conclusions and Recommendations. (70)

From concerned citizen, expressing concerns regarding City vehicles being driven home by employees who reside outside of the City. (71)

From Harrison Sheppard, submitting copy of email to Christian Holmer, etc. regarding Immediate Disclosure Request. (72)

From Carl Glover, submitting a copy of letter sent to DPT regarding protesting a parking citation. (73)

From SF City Clinic, submitting San Francisco Monthly STD Report for November 2007. (74)
From Glenn Boyle, concerning the City becoming a "Chemtrail free zone". (75)

From Steve Ericsson, concerning the security guards a 1 California voting no on the security guard contract. (76)

From James Dierke, submitting support for Margaret Brodtkin, Director of DCYF. (77)

From Ann Garrison, concerning Prop A allegedly diverting voters from the proper polling places. Copy: Department of Elections (78)

From Alan Roberts, expressing concerns regarding the DEA's treatment of Medical Cannabis Dispensaries in the City. (79)

From Department of Human Resources, submitting a copy of Chapter 12B Waiver Request for Bill Graham Civic Auditorium Convention Facilities for Public Safety Exams Unit. (80)

From Stephen Williams, regarding Adoption of Findings related to the Disapproval of the Categorical Exemption issued for 376 Eureka St. File No. 071574, Copies: Each Supervisor (81)

From concerned citizen, expressing concerns regarding the CSU – SFSU Masterplan and its effects on the Parkmerced area. (82)

From Jeffrey Friedman, submitting opposition to building structures on Treasure Island that are 15-20 stories in height. (83)

From Supervisor Daly, submitting a copy of an email to a constituent regarding issues in the Tenderloin. (84)

From Steven Mann, expressing concerns regarding equal opportunity housing in the City. (85)

From Recreation and Park Department, submitting response regarding month to month leases. (86)

From Vanessa Fontana, regarding safety issues on 10th Street. Copy: Supervisor Daly (87)

From Lawrence Feigenbaum, submitting support for funding of the Natural Areas Program. (88)

From Municipal Transportation Agency, submitting response regarding removal of graffiti from phone switch and light switch boxes. (Reference 20071120-012 and 20071106-005) (89)

From James Miller, concerning the resignation of Susan Leal, Director, PUC. (90)

From William Bradshaw, submitting comments regarding various issues in the City. Copies: Supervisors Daly, Sandoval, and Mirkarimi. Received 4 Letters (91)

From Dr. Ahimsa Sumchai, expressing concerns regarding Senator Feinstein and Richard Blum alleged conflicts of interest in the Shipyard/Candlestick Development. (92)

From Dr. Ahimsa Sumchai, regarding a family in the Bayview faced with eviction. (93)

From Dr. Ahimsa Sumchai, regarding the Disaster Council Meeting being postponed/rescheduled. (94)

From Dr. Ahimsa Sumchai, concerning the funding of the Shipyard cleanup. (95)

From Dr. Ahimsa Sumchai, expressing concerns regarding information presented to the Land Use Committee on October 29, 2007 by Dr. Katz. (96)

From concerned citizens, expressing concerns regarding paid signature gatherers for the Bayview Jobs, Parks, and Housing Initiative. Received 2 Letters (97)

From Francisco DaCosta, regarding the Ohlone Tribe of the Bay Area. (98)

From Francisco DaCosta, submitting comments regarding Lennar Corporation. (99)

From Francisco DaCosta, expressing concerns regarding San Francisco Redevelopment Agency Commissioners. (100)

From Francisco DaCosta, regarding the 58,000 oil spill and cumulative pollution. (101)

From Francisco DaCosta, regarding alleged unfair practices through Gang Injunctions in the City.
(102)

From Francisco DaCosta, regarding the December 5, 2007 incident at the Oakdale Public Housing and the Police Commission. (103)

From Francisco DaCosta, regarding Unions allegedly exploiting innocent immigrants and others. (104)

From Francisco DaCosta, concerning Black Student Unions in our colleges. (105)

From Francisco DaCosta, expressing concerns about several community leaders in the Bay View. (106)

From Francisco DaCosta, regarding the Lakota Tribe. (107)

From Francisco DaCosta, expressing concerns regarding Speaker of the House Pelosi and Senator Feinstein. Received 2 Letters (108)

From Kimo Crossman, regarding the UK Government – FOIA decision regarding deleted data on backups. (109)

From Kimo Crossman, regarding the Clerk's Office providing information in redacted format. (110)

From Kimo Crossman, regarding various immediate disclosure requests. Received 2 Letters (111)

From Kimo Crossman, submitting a copy of an article regarding the 5 Voting Systems used in Ohio. (112)

From Ann Garrison, concerning Friends of Australia Rock Art B-Day, November 17, 2007. (113)

From Christian Holmer, regarding various Immediate Disclosure Request. Received 3 Letters (114)

From James Chaffee, regarding interview segment by Steven Short at KALW. (115)

From Mirna Escobar, regarding alleged neglect and discrimination practices by the San Francisco Housing Authority. (116)

From concerned citizens, regarding the Library utilizing Collection Agencies for overdue and lost books. Received 3 Letters (117)

From concerned citizens, regarding the alleged misinformation about a new stadium in the City. Received 2 Letters (118)

From Joe Lynn, regarding Immediate Disclosure Request. (119)

From Francisco DaCosta, concerning the lawsuit filed in Superior Court against AIMCO. (120)

080022 [Petitions and Communications, Part 3]

Petitions and Communications received from December 4, 2007 through December 31, 2007 for reference by the President to January 8, 2008.
Part 3.

From Abdalla Megahed, expressing concerns regarding the homeless in the City and requesting assistance regarding a supervisor at 150 Otis who was allegedly abusive. (121)

From Ann Garrison, regarding PG&E's CEO alleged support of legislation to cut pollution linked to global warming. Copies: Each Supervisor (122)

From Martha Rodriguez, submitting a copy of letter to Citation Review Center regarding parking citation. (123)

From concerned citizen, regarding parking citation protest letter. (124)

From Robert Lee, expressing concerns regarding the top 3 highest positions in the Fire Department. Copies: Each Supervisor (125)

From Mike Gerrity, expressing concerns regarding the proposed Waller Street Skate Park. (126)

From Tracy Keveny, submitting safety and graffiti concerns in District 6. Copy: Supervisor Daly (127)

From Robin Sohnen, expressing concerns regarding the death of Allen Bow. (128)

From Municipal Transportation Agency, regarding status on the installation of a Slow Children Playing sign at Rio Court. (Reference 20070925-01) (129)

From Department of Elections, submitting copy of letter to the Secretary of State's Special Filings Unit verifying Amendments to the Charter. (130)

From San Francisco Shelter Monitoring Commerce, commenting on the SF Winter Shelter program. 2 letters (131)

From Office of the Controller, regarding status on funding for workforce development programs. File 071056 (132)

From Department of Elections, regarding waiver allowing City employees to assist the Department of Elections with the February 5, 2008 Presidential Primary Election. (133)

From concerned citizen, commenting on the City of San Francisco. (134)

From Vicki Tiernan, commenting on SFGATE. (135)

From Med Solutions, commenting on Medicare Part D recipients. (136)

From Lance Warner, commenting on Cambria Community District test well drilling. (137)

From Alexander Strunk, sending holiday greetings to all firefighters and their families and friends worldwide. (138)

From Jonathan Boulton, commenting on the war on terror. (139)

From concerned citizens, commenting on the fatal tiger mauling of Carlos Sousa Jr. at the San

Francisco Zoo on Christmas Day. 37 letters (140)

From Building Inspection Commission, regarding ordinance amending the San Francisco Building code. File 071009, Copy: Land Use Committee Members (141)

From Office of the Controller, submitting report analyzing San Francisco's healthcare market and public health system. (142)

From Office of the Controller, regarding Controller's annual report on Impact Fees for the Rincon Hill Community Improvements Fund and the SOMA Community Stabilization Fund. (143)

From Francisco Da Costa, commenting on Lennar Corporation. (144)

From Dr. Ahimsa Porter Sumchai, submitting Declaration of Policy supporting environmental cleanup to residential standards for the Hunters Point Shipyard. (145)

From Elsa Almanza, regarding janitors working at 50 Fremont Street. Copy: Each Supervisor (146)

From Patrick Monette-Shaw, commenting on an editorial run in the SF Examiner regarding City job cuts. (147)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised January 3, 2008

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending the SF Planning Code to assess administrative penalties for a Planning Code violation	071651	Land Use & Economic Development Committee	Supervisors Sandoval, Maxwell	12/11/07	1/10/08
Ordinance amending SF Planning Code to define three types of entertainment use.	071649	Land Use & Economic Development Committee	Supervisor Peskin	12/11/07	1/10/08
Ordinance amending SF Administrative Code requiring the City to give notice of termination or expiration of a lease from SFUSD to the City when the City has used the leased property in a manner directly serving the public.	071648	Land Use & Economic Development Committee	Supervisor Mirkarimi	12/11/07	1/10/08

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, January 15, 2008 2:00 PM

Regular Agenda

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Wynns

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DEPOSITORY ITEM
DOCUMENTS DEPT

JAN 11 2008

SAN FRANCISCO PUBLIC LIBRARY



Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求

請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.



Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sof@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Dufty

1. 071521 [Public Works Code - cafe tables and chairs permit fee]
Supervisors Chu, Dufty, Mirkarimi
Ordinance amending Public Works Code Sections 2.1.1 to update the cafe tables and chairs permit fee and making environmental findings.
- 1/8/2008, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin,

2. 071565 [Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

1/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Peskin

3. 071575 [Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]
Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of \$420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40.
(City Attorney)

1/8/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 071612 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]
Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612.
(City Attorney)

1/8/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

5. 071136 [Recreation and Park Department - Camping, Sleeping]

Mayor

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

(Supervisor Daly dissented in Committee.)

11/13/2007, CONTINUED. Continued to November 20, 2007

11/20/2007, RE-REFERRED to Government Audit and Oversight Committee. Refer matter to the Local Homeless Coordinating Board and schedule as soon as possible at GAO.

11/21/07 - Referred to the Local Homeless Coordinating Board for review and comment.

12/10/07 - Response received from Local Homeless Coordinating Board.

1/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

1/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

6. 071536 [Access to and retention of community safety camera recordings]

Supervisors Sandoval, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

1/8/2008, CONTINUED. Continued to January 15, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

Board of Supervisors Sitting as a Committee of the Whole

7. 061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

12/5/2006, CONTINUED. Continued to January 9, 2007 at 3:00 p.m.

1/9/2007, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board. Continued to January 23, 2007

1/23/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board. Continued to February 6, 2007.

2/6/2007, CONTINUED. Continued to September 11, 2007.

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 15, 2008

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

**8. 061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility]
Supervisor Maxwell**

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

11/14/2006, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing the same title.

12/5/2006, CONTINUED. Continued to January 9, 2007 at 3:00 p.m.

1/9/2007, CONTINUED. Continued to January 23, 2007

1/23/2007, CONTINUED. Continued to February 6, 2007.

2/6/2007, CONTINUED. Continued to September 11, 2007.

9/11/2007, CONTINUED. Continued to January 15, 2008

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Duffy

9. 071579 [Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International Airport]
Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport.
(Airport Commission)
- Question: Shall this Resolution be ADOPTED?
10. 071580 [Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]
Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport.
(Airport Commission)
- Question: Shall this Resolution be ADOPTED?
11. 071676 [Grant to support the Shape Up BVHP program]
Supervisor Peskin
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a two-year grant from Kaiser Permanente in the amount of \$150,000 for the project entitled "Shape Up BVHP," for the period of October 1, 2007 through September 30, 2009, which includes a subcontract with the SF Study Center for \$130,610 for the same time period.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Alioto-Pier, Elsbernd, Daly

12. 071371 [Increasing the gate fee that may be charged by "full-service" taxicab companies from \$91.50 to \$110, provide for annual adjustments to the gate fee cap, and ratifying gate fees previously charged retroactive to January 1, 2003]
Supervisor Alioto-Pier
Ordinance amending the San Francisco Police Code by adding Section 1137.1, to: increase the gate fee that may be charged by "full-service" taxicab companies, as defined in the ordinance, from \$91.50, as authorized by Board Resolution No. 605-06, to \$110; provide for annual adjustments to the gate fee cap and, ratify gate fees previously charged retroactive to January 1, 2003.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M.**

13. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 15, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

14. 070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

Question: Shall this Motion be APPROVED?

15. 070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

16. 080010 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 652 Duncan Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007 that a project at 652 Duncan Street (Building Permit Application No. 2005.12.23.0995, Case No. 2006.0665D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project is a horizontal addition of two bedrooms and bathroom on a first floor and a dining room on a second floor, a vertical addition of a bedroom and bath, renovation of a kitchen and seismic improvements to a single-family dwelling, located in a RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 6589, Lot 002J).
(Appellant: Stephen M. Williams)
(Filed December 7, 2007; companion measure to 080011, 080012, 080013; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

17. 080011 [Affirming the categorical exemption issued for the 652 Duncan Street project]
Motion affirming the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

18. 080012 [Disapproving the categorical exemption issued for the 652 Duncan Street project]
Motion disapproving the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

19. 080013 [Preparation of findings related to the 652 Duncan Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 652 Duncan Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

20. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

21. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

22. 080076 [Closed Session - Existing Litigation, City as Defendant]
- Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation, SN SANDS Corporation, DBA S & S Trucking vs. the City and County of San Francisco, San Francisco Superior Court No. 507-848.
- Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit.
- (City Attorney)

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 23 through 30

23. 080067 [Commending Margaret Cooch upon her retirement]
Supervisors Mirkarimi, Ammiano
Resolution commending Margaret Cooch upon her retirement as Executive Director of Planning for Elders and honoring her life-long service to the broader communities of senior and people with disabilities.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. 080068 [Urging San Franciscans not to purchase eggs produced by caged hens]
Supervisor Peskin
Resolution urging San Franciscans not to purchase eggs produced by caged hens and opposing the factory farming practice of confining egg-laying hens in battery cages.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 080070 [San Francisco joins with others to form the creation of California Green Cities]
Mayor
Resolution committing San Francisco to join other California cities in an effort to promote local, regional, and national sustainability measures, called California Green Cities.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 080071 [Funds to support risk reduction project]
Supervisors Duffy, Ammiano
Resolution authorizing the San Francisco Department of Public Health (DPH), HIV Research Section to enter retroactively into an agreement in the amount of \$48,444 with Public Health Foundation Enterprises (PHFE), the primary contractor, to participate in a project regarding risk reduction counseling; for the period of August 1, 2007 through July 31, 2008.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?



- 27. 080072 [Approval of a 30 day extension of Planning Commission review - Union Street Neighborhood Commercial District]**
Supervisor Alioto-Pier
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full service restaurants that satisfy specific requirements and obtain conditional use authorization; and making environmental findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 28. 080073 [Urging the California State University system to develop uniform hiring policies to ensure workforce diversity]**
Supervisor Sandoval
Resolution urging the California State University system to develop uniform hiring policies to ensure workforce diversity.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 29. 080074 [Approval of a second 90 day extension for Planning Commission review - adoption or expenditure of neighborhood impact fees]**
Supervisor Alioto-Pier
Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 30. 080069 [Concurring in January 4, 2008 Proclamation of Local Emergency]**
Mayor, Supervisor Peskin
Motion concurring in the Mayor's January 4, 2008 Proclamation of Local Emergency, and in the actions taken to meet the emergency.
- 1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____



27. 080072 [Approval of a 30 day extension of Planning Commission review - Union Street Neighborhood Commercial District]
Supervisor Alioto-Pier
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full service restaurants that satisfy specific requirements and obtain conditional use authorization; and making environmental findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

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Question: Shall this Resolution be ADOPTED?
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Question: Shall this Resolution be ADOPTED?
30. 080069 [Concurring in January 4, 2008 Proclamation of Local Emergency]
Mayor, Supervisor Peskin
Motion concurring in the Mayor's January 4, 2008 Proclamation of Local Emergency, and in the actions taken to meet the emergency.

1/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
- Questions on the For Adoption Without Committee Reference Agenda: _____*



31. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 1, 2008 through January 7, 2008 for reference by President to the appropriate committee on January 8, 2008.

080054 [Settlement of Lawsuits and Claims]

Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for \$1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)

1/3/2008, RECEIVED AND ASSIGNED to Rules Committee.

080055 [Settlement of Lawsuit - Teresa Yeung]

Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for \$87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

1/3/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 1, 2008 through January 7, 2008 for reference by President to the appropriate committee on January 8, 2008.

080051 [Emergency contract to design and install permanent high voltage electrical distribution system at San Francisco General Hospital]

Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent high voltage electrical distribution system at San Francisco General Hospital.

(Public Works Department)

1/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080052 [Airport Lease and Operating Agreement]

Resolution approving the exercise of the second of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343.

(Airport Commission)

1/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080053 [Airport Concession Lease]

Resolution approving the Boarding Area "F" Candy Store and Kiosks Lease between Pacific Gateway Concessions, LLC., and the City and County of San Francisco, acting by and through its Airport Commission.

(Airport Commission)

1/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080056 [Approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen & Associates, for services related to the Fourth Street Bridge]

Resolution approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen for design professional services related to the Fourth Street Bridge Seismic Retrofit and Rehabilitation project, under Charter Section 9.118(b).

(Public Works Department)

1/3/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080075 [Petitions and Communications]

Petitions and Communications received from January 1, 2008 through January 7, 2008 for reference by the President to January 15, 2008.

From Controller's Office – City Services Auditor, submitting Annual Report Fiscal Year 2006-2007. (1)

From Fire Department, submitting response for the renaming of Jasper Alley. File No. 071675, Copies: Land Use Committee Members (2)

From Martin Lyon, submitting traffic suggestions for the Kennedy-Kezar Intersection in Golden Gate Park. (3)

From Human Services Agency, submitting response regarding the Shelter Monitoring Committee. (Reference No. 20071023-005). (4)

From Department of Human Resources, submitting Human Resource Information System Progress Report ("Project eMerge"). (5)

From Department of Public Health, submitting Status Report on the Implementation of the San Francisco Health Care Security Ordinance. (6)

From James Ludwig, regarding the Baker's Dozen attack that occurred in the City last year. (7)

From Department of Emergency Management, submitting San Francisco Bay Area Regional Emergency Coordination Plan (Base Plan). (8)

From Recreation and Park Department, submitting response to graffiti cleanup. (Reference 20071204-020). (9)

From Secretary of State of California, submitting a cassette recording of Official California Voter Information Guide. (10)

From Public Library, submitting the Branch Library Improvement Program's "2000 Branch Library Improvement Bond Quarterly Report" for the Third Quarter of 2007. (11)

From Department of Emergency Management, submitting electronic copy of a working draft of the San Francisco All Hazards Strategic Plan. (12)

From Friends of 1800, submitting support for the Landmark Nomination for 900 Innes Avenue – Shipwright's Cottage. (13)

From Geragos & Geragos Law Firm, submitting a copy of letter to City Attorney regarding the tiger mauling at the Zoo. (14)

From Department of Public Works, regarding the renaming of portions of Jessie and Mint Street to Mint Plaza. File No. 071681, Copies: Land Use Committee Members (15)

From Fire Department, regarding the renaming of portions of Jessie and Mint Street to Mint Plaza. File No. 071681, Copies: Land Use Committee Members (16)

From concerned citizens, submitting support for the proposed ordinance to amend Park Code to prohibit camping, sleeping in the City's Parks. File No. 071136, Copies: Each Supervisor. Received 2 Letters. (17)

From Lynn Nordheim, submitting support for the EarthLink agreement that will provide free wireless Internet in the City. (18)

From Municipal Transportation Agency, submitting Overtime Justification Report. (19)

From John Caldera, submitting concerns regarding the San Francisco Veterans Affairs Commission. Copies: Each Supervisor (20)

From San Francisco Beautiful, submitting support for the ordinance to amend Public Works Code to update the café tables and chairs permit fee. File No. 071521, Copies: Each Supervisor (21)

From concerned citizens, expressing concerns regarding the tiger mauling at the SF Zoo on December 25, 2007. Received 45 Letters (22)

From Larry Burg, expressing concerns regarding the EIR certification process for 55 Laguna Street. (23)

From City Administrator – Office of Public Finance, submitting response regarding Affordable Solar and Homeowners Program. (Reference 20071106-013) (24)

From Municipal Transportation Agency, submitting response regarding the removal of graffiti and repairing signs on DPT property. (Reference 20071016-054) (25)

From Human Services Agency, submitting response regarding the Shelter Monitoring Committee adopting measures to ensure a standard of care be observed in all shelters. (Reference 20071023-005) (26)

From concerned citizen, regarding the need for better training and/or supervision of residents in the psychiatry program at SFGH. (27)

From Athan Rebelos, submitting opposition to the proposed ordinance to increase the gate fee. File No. 071371 (28)

From Francisco DaCosta, regarding the landfill fire that erupted in the year 2000 on Parcel E that took one month to put out. (29)

From Francisco DaCosta, regarding the Hunters Point Naval Shipyard. (30)

From Francisco DaCosta, regarding the SF Economic Plan. (31)

From Francisco DaCosta, regarding proposed stadium at Hunters Point. (32)

From Recreation and Park Department, submitting response regarding graffiti clean-up in District 5. (Reference 20071204-020) (33)

From concerned citizen, expressing concerns regarding the difficulty in registering for Camp Mather. (34)

From Dr. Ahimsa Sumchai, regarding an article on African Americans being over weight. (35)

From Patrick Monette-Shaw, regarding testimony to Citizen's General Obligation Bond Oversight Committee regarding Laguna Honda Hospital Replacement Project \$302 Million Cost Overrun. (36)

From Mr. Hill, regarding torture case won against Chinese Commerce Minister in Supreme Court. (37)

From Read Haudel, submitting support for the Community Choice Aggregation Plan. (38)



From Francisco DaCosta, submitting concerns regarding Lennar. (39)

From Alan Roberts, expressing concerns regarding the DEA's treatment of Medical Cannabis Dispensaries in the City. (40)

From Department of Public Health, regarding the Program on Health Equity and Sustainability public draft of the community health assessment of the Eastern Neighborhood Area Plans. (41)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised January 10, 2008

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending disclosures of votes cast in ranked-choice elections	080035	Rules Committee	Supervisor Ammiano	1/8/08	2/8/08
Ordinance amending SF Planning Code to define three types of entertainment use	080063	Land Use & Economic Development Committee	Mayor	1/8/08	2/8/08

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, January 29, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

DOCUMENTS DEPT.

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM



Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求

請電：(415) 554-7703

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics



ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the City Operations and Neighborhood Services

Present: Supervisors McGoldrick, Alioto-Pier, Chu

1. 071630 [Accept - Expend Grant, DPH - \$213,498]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California HIV/AIDS Research Program of the University of California in the amount of \$213,498 for the project entitled "Acute HIV Infection Detection in San Francisco and San Mateo," for the period of October 1, 2007 through December 31, 2008, which includes a subcontract with the San Mateo County Health Department for \$31,481 for the same time period.

Question: Shall this Resolution be ADOPTED?
2. 071633 [Accept-Expend Bequest of Phyllis C. Wattis Trust]
Supervisor Elsbernd
Resolution authorizing the San Francisco Public Library to accept and expend \$150,000 from the Friends of the San Francisco Public Library (Friends) from the endowment fund established at the Friends by the PHYLLIS WATTIS Trust for public service improvements at the Main Library.

Question: Shall this Resolution be ADOPTED?
3. 071638 [Accept-Expend Federal Grant, Mayor's Office of Criminal Justice - \$137,989]
Supervisor Elsbernd
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$137,989 from the United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA), under the Bulletproof Vest Partnership program to purchase armor vests for law enforcement officers in the Sheriff's Department, Police Department, Office of the District Attorney, Juvenile Probation Department and Adult Probation Department.

Question: Shall this Resolution be ADOPTED?
4. 071639 [Accept-Expend State Grant, SF Port Commission - \$710,000]
Supervisor Maxwell
Resolution authorizing the San Francisco Port Commission to accept and expend a total of \$710,000 in grant funds from the California Coastal Conservancy (\$200,000) and the California Department of Boating and Waterways (\$510,000) to fund the Pier 52 Public Boat Launch Project.

Question: Shall this Resolution be ADOPTED?

5. 071640 [Accept-Expend State Grant, SF Port Commission - \$200,000]
Supervisor Maxwell
Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of \$200,000 from the California Cultural and Historical Endowment for planning activities at Pier 70.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

6. 071581 [Changing the official sidewalk width - Townsend Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)
(DPW Order No. 177,191)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 071449 [Acceptance of the gift related to the improvement of a portion of the Lyon Street Stairs]
Supervisors Alioto-Pier, Sandoval
Resolution acknowledging and accepting Richard C. Blum's gift to refurbish a portion of the Lyon Street Stairs and dedicating these improvements to public use.

10/23/2007, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

8. 071636 [Accept-Expend State Grant, Chief of Police - \$235,252]
Supervisor Duffy
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$235,252 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for a program entitled "COPSmeth 2007 San Francisco".

Question: Shall this Resolution be ADOPTED?

9. 071635 [Accept-Expend State Grant, Chief of Police - \$295,000]
Supervisor Duffy
Resolution authorizing the Chief of Police for the City and County of San Francisco to Retroactively accept and expend a grant in the amount of \$295,000 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" program.

Question: Shall this Resolution be ADOPTED?

10. 071665 [Accept-Expend State Grant, Chief of Police - \$220,000]
Supervisor Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$220,000 from the Governor's Office of Emergency Services for a program entitled "Anti-Gang Initiative/Project Search & Rescue".

Question: Shall this Resolution be ADOPTED?

11. 071666 [Accept-Expend Federal Grant, Chief of Police - \$754,618]
Supervisor Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$754,618 from the U.S. Department of Justice, Bureau of Justice Assistance for a program entitled "Byrne 2007 Discretionary Grant Program; BJA-Targeting Violent Crime Initiative".

Question: Shall this Resolution be ADOPTED?

12. 080048 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services]
Supervisor Elsbernd
Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of \$950,000 from the Governor's Office of Homeland Security for the Buffer Zone Protection Program, and to enter into an MOU with Bay Area Rapid Transit (BART) to fund critical infrastructure needs.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

13. 080002 [Settlement of Lawsuit - Daniel Worrell]
Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for \$585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080015 [Settlement of Lawsuit - Francis Kelly et al.]

Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080028 [Appointment - Library Citizens Advisory Committee]

Motion appointing Theodore Bamberger, term ending July 18, 2008, to the Library Citizens Advisory Committee.

Theodore Bamberger, succeeding Richard Mason, term expired, seat 12, must be member from the community at large, representative of senior citizens, for the unexpired portion of a two-year term ending July 18, 2008.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

16. 071136 [Recreation and Park Department - Camping, Sleeping]
Mayor
Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.
(Supervisor Daly dissented in Committee.)
- 11/13/2007, CONTINUED. Continued to November 20, 2007
11/20/2007, RE-REFERRED to Government Audit and Oversight Committee. Refer matter to the Local Homeless Coordinating Board and schedule as soon as possible at GAO.
11/21/07 - Referred to the Local Homeless Coordinating Board for review and comment.
12/10/07 - Response received from Local Homeless Coordinating Board.
1/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
1/8/2008, PASSED ON FIRST READING AS AMENDED.
1/15/2008, AMENDED.
1/15/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

17. 071536 [Access to and retention of community safety camera recordings]
Supervisors Sandoval, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.
- 1/8/2008, CONTINUED. Continued to January 15, 2008
1/15/2008, CONTINUED. Continued to January 29, 2008
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

18. 071538 [Imposing a suppression order upon the Board of Supervisors]**Supervisor Sandoval**

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Supervisor Chu was previously excused from voting on this matter.

Continued to January 29, 2008

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

19. 080018 [Public Auction - Sell certain parcels of tax-defaulted real property]
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property.
(Treasurer-Tax Collector)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

20. 071607 [Trans Fat Free Program Ordinance]
Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick
Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 071247 [Liquor License Transfer - 22 Sixth Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from 26 6th Street to 22 6th Street (District 6) to Jamal Taha for Rite-by Grocery, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

22. 071067 [Liquor License - 2598 San Bruno Avenue]
Resolution determining that the issuance of a Type 40 on-sale beer license to John Casimier Mitchell for Fat Beli Deli located at 2598 San Bruno Avenue (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

23. 071681 [Changing the name of an approximately 200-ft long portion of Jessie Street bounded by 5th and Mint Streets and a 75-ft long portion of Mint Street to Mint Plaza]
Supervisor Daly
Resolution changing the name of an approximately 200-foot-long portion of Jessie Street (from 400 to 426 Jessie Street), bounded by 5th Street and Mint Street and an approximately 75-foot portion of Mint Street (containing one address, 54 Mint Street) to Mint Plaza, in recognition of the newly constructed pedestrian plaza that now occupies those areas.

Question: Shall this Resolution be ADOPTED?

24. 080036 [Adopting the Planning Department's report on File 071534 - Interim Moratorium on Institutional Uses in the Western SoMa]
Supervisors Peskin, Sandoval, Maxwell
Motion adopting the Planning Department's report on File No. 071534 – an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 Days.

Question: Shall this Motion be APPROVED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

25. 080049 [Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]
Supervisor Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$27,304,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee With Recommendation "Do Submit"

Present: Supervisors Ammiano, Elsbernd, Peskin

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

26. 071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions]

Supervisor Elsbernd

Charter amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee With Recommendation "Do Submit"

Present: Supervisors Ammiano, Elsbernd, Peskin

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

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Supervisor Elsbernd

Charter amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 071599)

27. 071588 [Hearing at the Full Board on the response to the November 7, 2007 oil spill in the San Francisco Bay]
Supervisor Alioto-Pier
Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation Area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 29, 2008

Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*



28. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(c)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

- 29. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

Question: Shall this Motion be APPROVED?

- 30. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

Question: Shall this Motion be APPROVED?

- 31. 070913 [Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use and Economic Development Committee on Monday, January 28, 2008 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, January 29, 2008.

32. 080093 [Zoning - Extending the interim moratorium on institutional uses in the Western SoMa]
Supervisor Peskin
Urgency Ordinance approving an extension of interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for an additional 22 months and 15 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 44

**35. 071599 [Committee of the Whole - January 29, 2008 regarding the November 7, 2007 Oil Spill]
Supervisor Alioto-Pier**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on January 29, 2008.

11/20/2007, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/4/2007, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Amended by replacing the date of "December 4, 2007" with "January 29, 2008."

12/4/2007, CONTINUED AS AMENDED. Continued to January 29, 2008

Question: Shall this Motion be APPROVED?

**36. 080101 [Western Addition Branch Library grand re-opening]
Supervisor Mirkarimi**

Resolution commemorating the grand re-opening of the Western Addition Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**37. 080102 [Opposing the "California Property Owners and Farmland Protection Act"]
Supervisors Sandoval, Peskin, McGoldrick, Mirkarimi, Maxwell, Daly, Dufty, Ammiano**

Resolution opposing the "California Property Owners and Farmland Protection Act" as exacerbating the housing crisis in San Francisco, undermining the City's efforts to rebuild the water delivery system, and restricting the City's ability to fight global warming and enforce sensible land use policies.

1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**38. 080103 [New Ingleside Branch Library groundbreaking]
Supervisors Elsbernd, Sandoval**

Resolution recognizing the groundbreaking ceremony for the new Ingleside Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

- 39. 080106 [Commending Steve McAdam]
Supervisor Peskin
Resolution commending Steve McAdam.**
- 1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 40. 080107 [Supporting an application for federal funding to evaluate the use of Maglev in San Francisco]
Supervisor Alioto-Pier
Resolution supporting an application for federal funding to evaluate the use of Maglev in San Francisco.**
- 1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 41. 080112 [National Wear Red Day - February 1, 2008]
Supervisor Peskin
Resolution declaring February 1, 2008 as National Wear Red Day in San Francisco.**
- 1/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 42. 080080 [Final Map - 829 - 831 Folsom Street]
Motion approving Final Map 4477, a 69 Unit Residential Condominium Project, located at 829 – 831 Folsom Street being a subdivision of Lot 091 in Assessors Block No. 3752 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,321; District 6.)**
- 1/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 43. 080081 [Final Map - 755 Eddy Street]
Motion approving Final Map 2512, a 12 Unit Residential Condominium Project, located at 755 Eddy Street being a subdivision of Lot 010 in Assessors Block No. 0742 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,310; District 6.)**
- 1/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**



44. 080082 [Final Map - 2525 California Street]

Motion approving Final Map 4170, a 16 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2525 California Street being a subdivision of Lot 032 in Assessors Block No. 0655 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,351; District 5.)

1/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from January 8, 2008 through January 18, 2008 for reference by President to the appropriate committee on January 29, 2008.

- 080120** [Settlement of City's Lawsuit Against Semptra Energy, Semptra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Semptra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$1,000,000 to the City from defendants Semptra Energy, Semptra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.
(City Attorney)
- 1/18/2008, RECEIVED AND ASSIGNED to Rules Committee.
- 080123** [Settlement of lawsuit and appropriating a portion of the proceeds]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating \$1,130,000.00 of the proceeds to the Department of Elections.
(City Attorney)
- 1/18/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080125** [Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]
Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code.
(Real Estate Department)
- 1/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080126** [Planning Code-Amending Article 11 Designation of 545-547 Mission Street]
Draft ordinance amending the designation of 545-547 Mission Street (Assessor's Block 3721, Lot 082) from Category V (Unrated) to Category III (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
- 1/14/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2008

PROPOSED RESOLUTIONS

Proposed resolutions received from January 8, 2008 through January 18, 2008 for reference by President to the appropriate committee on January 29, 2008.

080078 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Clear Channel Outdoor, Inc. Lease Agreement for the Airport Advertising Program at San Francisco International Airport Lease No. 00-0408 between Clear Channel Outdoor, Inc. dba Clear Channel Airports and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

1/10/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080079 [Airport Environmental Review]

Resolution adopting CEQA Findings Related to the Terminal 2/ Boarding Area D Renovation Project at San Francisco International Airport.
(Airport Commission)

1/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080121 [Lease of Real Property - 1390 Market Street]

Resolution authorizing the exercise of a five-year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health.
(Real Estate Department)

1/18/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080122 [Approval of Mental Health Services Act (MHSA) Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]

Resolution approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for \$18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA.
(Public Health Department)

1/15/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices.
(Elections Department)

1/18/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from January 8, 2008 through January 18, 2008 for reference by President to the appropriate committee on January 29, 2008.

080078 [Airport Concession Lease]

Resolution approving Amendment No. 3 to the Clear Channel Outdoor, Inc. Lease Agreement for the Airport Advertising Program at San Francisco International Airport Lease No. 00-0408 between Clear Channel Outdoor, Inc. dba Clear Channel Airports and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

1/10/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080079 [Airport Environmental Review]

Resolution adopting CEQA Findings Related to the Terminal 2/ Boarding Area D Renovation Project at San Francisco International Airport.
(Airport Commission)

1/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080121 [Lease of Real Property - 1390 Market Street]

Resolution authorizing the exercise of a five-year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health.
(Real Estate Department)

1/18/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080122 [Approval of Mental Health Services Act (MHSA) Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]

Resolution approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for \$18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA.
(Public Health Department)

1/15/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]

Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices.
(Elections Department)

1/18/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080131 [Petitions and Communications #1]

Petitions and Communications received from January 8, 2008 through January 18, 2008 for reference by the President to January 29, 2008.
Part 1.

From Planning Department, submitting 25-Day Report to address conditions that led to Interim Moratorium on Institutional Uses in Western SoMa. File No. 071534 (1)

From Senate California Legislature, submitting support for proposed Charter Amendment that would provide local funding for affordable housing without raising taxes. File No. 071218, Copies: Each Supervisor. (2)

From Clerk of the Board, advising the Board that the following individuals have submitted a Form 700 Statement of Economic Interests – Luke Klipp, Ivis Zambrana, Eric Alvarez, Alice Guidry, and Colette Devou. (3)

From Office of the Treasurer, submitting report of the investment activity (for fiscal year to date) of the portfolios under Treasurer's management for July 1, 2007 to December 31, 2007. (4)

From Edmund Jew, submitting letter of resignation of his Board of Supervisor's seat dated January 9, 2008, effective January 11, 2008. Copies: Each Supervisor (5)

From Office of the Mayor, submitting letter informing the Board and Ethics Commission of Edmund Jew's resignation, effective January 11, 2008 and a copy of the Settlement Agreement and General Release. Copies: Each Supervisor (6)

From Municipal Transportation Agency, submitting response regarding the renaming of portions of Jessie Street and Mint Street as "Mint Plaza". File No. 071681, Copies: Land Use Committee Members. (7)

From Employees' Retirement System – Office of the Executive Director, regarding proposed Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions. File No. 071664, Copies: Rules Committee Members. (8)

From Clerk of the Board, submitting copy of letter to Professor Weisberg advising him that as a result of Mr. Jew's resignation the Board will no longer need legal council for this matter. (9)

From Recreation and Park Department, submitting notification that the estimated cost related to the Declaration of Emergency – SF Zoo issued on Dec 26, 2007 is in excess of \$250,000. Copies: Each Supervisor (10)

From Office of the Mayor, designating Supervisor Chu as Acting Mayor on January 17, 2008 8:00am until 4:00pm. Copies: Each Supervisor and City Attorney. (11)

From Office of the Mayor, designating Supervisor Chu as Acting Mayor on January 21, 2008 1:00pm until January 22, 2008 at 11:59pm - designating Supervisor Alioto-Pier as Acting Mayor on January 23, 2008 12:00am until January 24, 2008 11:59pm - designating Supervisor Elsbernd as Acting Mayor on January 25, 2008 12:00am until January 26, 2008 5:00pm. Copies: Each Supervisor and City Attorney. (12)

From Office of the Controller, submitting schedules of rates, fees and charges of the San Francisco Public Utilities Commission as passed by the SFPUC on June 12, 2007. (13)

From Municipal Transportation Agency, submitting response regarding establishing an All-Way Stop at the intersection of Haight at Broderick Streets. (Reference No. 20071120-009) (14)

From Arts Commission, submitting FY 2007-08 Second Quarter Report. (15)

From Police Department, regarding proposed street name change from 410-426 Jessie and Mint Street to Mint Plaza. File No. 071681, Copies: Land Use Committee Members. (16)

From Recreation and Park Department, regarding Declaration of Emergency – SF Zoo. Copies: Each Supervisor, and Budget Committee Clerk. (17)

From Recreation and Park Department, submitting 2nd Quarter Status Report - FY 2007-08 Childhood Lead Poisoning Prevention Program Implementation Plan. (18)

From Ethics Commission, submitting Amendments to CFRO Regulations Approved by Ethics Commission. (19)

From San Francisco VA Medical Center, submitting response regarding services SF VA Medical Center provides to veterans, particularly in the area of mental health. (Reference No. 20071113-004) (20)

From Clerk of the Board, advising the Board that Emily Rogers, Legislative Assistant has submitted Form 700 Statement of Economic Interests. (21)

From Office of the Controller, regarding proposed Charter Amendment providing for the election of members of the Municipal Transportation Authority. File No. 071590, Copies: Rules Committee Members. (22)

From Office of the Controller, regarding proposed Charter Amendment dividing the power to nominate members of the PUC between the Mayor, and the Board of Supervisors. File No. 071667, Copies: Rules Committee Members. (23)

From Office of the Controller, regarding proposed Charter Amendment setting qualifications and prohibitions for members of City bodies that oversee election, campaign finance, lobbying and related laws and regulations. File No. 071471, Copies: Rules Committee Members. (24)

From Office of the Controller, regarding proposed Charter Amendment to change the election cycle for the offices of Mayor, Sheriff, District Attorney, and Treasurer and to eliminate municipal elections in odd-numbered years. File No. 071589, Copies: Rules Committee Members. (25)

From Office of the Controller, regarding proposed Charter Amendment making it City policy to support the nomination and appointment of female and minority candidates to Board, Commissions or Advisory Bodies. File No. 071591, Copies: Rules Committee Members. (26)

From Office of the Controller, regarding proposed Charter Amendment affirming that retirement system members who are convicted of a crime involving moral turpitude are prohibited from receiving employer-funded retirement benefits. File No. 071664, Copies: Rules Committee Members. (27)

From Mayor's Office of Neighborhood Services, submitting response regarding 2660 Harrison St. (Reference No. 20071204-022) (28)

From Municipal Transportation Agency, submitting response regarding graffiti clean-up in District 5. (Reference No. 20071030-012) (29)

From Human Rights Commission, submitting response regarding contract with J-Power. (Reference No. 20071120-008), Copy: Supervisor Alioto-Pier. (30)

From Clerk of the Board, submitting a copy of the Mayor's appointments to various Boards and Commission to the Board of Supervisors. (31)

From Oscar Velasques, seeking support for "AGUILA" a Latino gay/bisexual organization in the City. Copy: Mayor (32)

From Susan Backman, submitting opposition to the proposed installation of stadium style lighting and synthetic turf at Rossi Park. Copy: Supervisor McGoldrick (33)

From Steven Raspa, submitting suggestion that the proposed Office of Special Events be a part of the Entertainment Commission as opposed to a freestanding office. Copies: Budget and Finance Committee Members (34)

From Slawomir Borowy, submitting comments on the FBI. (35)

From concerned citizens, expressing concerns regarding the Academy of Art's property acquisitions in the City. Copies: Each Supervisor, Received 2 Letters. (36)

From Victoria Tan, seeking support for a Muni bus shelter at Lake Merced and Middlefield and speed bumps on Gellert. Copy: Supervisor Elsbernd (37)

From Amelia Ranche, submitting concerns regarding traffic on Murray Street in St. Mary's Park. Copy: Supervisor Ammiano (38)

From Chris Miller, submitting support for the City's plastic bag ban. Copy: Supervisor Mirkarimi (39)

From Michael Stausz, submitting comments regarding the Editorial in the Chronicle about the Hunters Point clean-up. (40)

From Nathan Roth, submitting opposition for the proposed Doyle Drive tax on Marin commuters. Copy: Supervisor McGoldrick (41)

From concerned citizens, regarding the ban of guns in the City. Copy: Supervisor Daly, Received 3 Letters. (42)

From concerned citizens, regarding the closure of the onsite medical service counter at the San Francisco Patients Cooperative located at 350 Divisadero. (43)

From Stephen Stone, regarding fees charged by Comcast for internet and cable services. (44)

From concerned citizens, submitting support for the EarthLink Wi-Fi Agreement. Received 4 Letters (45)

From Patrick Monk, regarding affordable housing in the Bay View Hunters Point area of the City. (46)

From Department of Public Works, submitting response regarding graffiti removal. (Reference No. 20080108-025), Copy: Supervisor Mirkarimi. (47)

From Department of Public Works, submitting response regarding graffiti removal. (Reference No. 20080108-019), Copy: Supervisor Mirkarimi. (48)

From Municipal Transportation Agency, submitting response regarding repainting the Stop sign at the intersection of McAllister and Laguna. (Reference No. 20070925-007) (49)

From Stephen Humenay, submitting opposition to the proposed taxi gate and meter increases. File No. 070605 (50)

From Mary Nisbet, submitting support for preserving the Flower Market. File No. 080093, Copies: Each Supervisor. (51)

080132 [Petitions and Communications # 2]

Petitions and Communications received from January 8, 2008 through January 18, 2008 for reference by the President to January 29, 2008.

Part 2.

From Department of Human Resources, submitting a copy of Chapter 12B Waiver request for St. Mary's Cathedral Conference Center for Q-2 Police Officer written examination. (52)

From Department of Human Resources, submitting a copy of Chapter 12B Waiver request for Holiday Inn Civic Center for Q-2 Police Officer examinations. (53)

From Ted Strawser, submitting support for proposed Charter Amendment providing for the election of members of the Municipal Transportation Agency's Board of Directors, their compensation, and their service as members of the Parking Authority Commission. File No. 071590, Copies: Each Supervisor. (54)

From concerned citizens, expressing various concerns regarding the tiger mauling at the SF Zoo. File No. 080031, Copies: Each Supervisor, Received 7 Letters. (55)

From Stephen Williams, submitting a copy of the Appellants' confirmation of the agreement by parties to request a continuance regarding 652 Duncan Appeal of Categorical Exemption. File No. 080010 (56)

From Brett Gladstone, regarding the continuance of the Appeal of Categorical Exemption for 652 Duncan. File No. 080010 (57)

From Mayor's Office on Education, announcing that the next group of shared school playground will be open Saturday, January 12th. (58)

From Christian Holmer, regarding various Immediate Disclosure Request. Received 4 Letters (59)

From Christian Holmer, regarding filing complaint against Mayor's Office of Communications. Received 4 Letters (60)

From Francisco Da Costa, submitting link to article regarding Mayor Newsom. Received 2 Letters (61)

From Francisco Da Costa, submitting link to article regarding Lennar BVHP LLC and the Bayview Initiative. (62)

From Francisco Da Costa, submitting link to article regarding the Conceptual Plan brought before the Land Use and Economic Development Committee. (63)

From Francisco Da Costa, submitting link to article regarding the Bayview Jobs, Parks, and Housing Initiative. (64)

From Francisco Da Costa, submitting link to article regarding Hunters Point Clean-Up. (65)

From Francisco Da Costa, submitting link to article regarding the Mayor's Office of Criminal Justice. (66)

From Francisco Da Costa, submitting link to article regarding Senator Barack Obama. (67)

From Dr. Ahimsa Sumchai, regarding public records request for air monitoring data in the Hunters Point Shipyard. Received 2 Letters (68)

From Dr. Ahimsa Sumchai, regarding Public Announcement/Health Equity and Sustainability. (69)

From Dr. Ahimsa Sumchai, regarding Lennar and the U.S. housing market. (70)

From Dr. Ahimsa Sumchai, regarding Senator Barack Obama. (71)

From Kimo Crossman, regarding Missouri Governor and his administration's e-mail retention policies. (72)

From Steven Yuan, expressing safety concerns regarding the MUNI accident that occurred on January 16, 2008. Copies: Each Supervisor (73)

From Martin Inouye, submitting opposition to the Friends of the Urban Forest planting trees at Balboa & 5th Avenue due to safety concerns regarding lighting in the area. Copy: Supervisor McGoldrick (74)

From Jacore Baptiste, regarding Section 8 program staff in San Francisco. Copy: Mayor (75)

From David Marcussen, regarding the new Marine Corps commercials shot in various communities. (76)

From Ted Strawser, submitting opposition to the Mayor's appointments to the MTA Board. (77)

From John Jenkel, expressing various concerns regarding alleged treatment received by the Criminal Court Clerks, California Superior Court, Sonoma County. (78)

From Margie Brown, submitting support for the removal of Leah Shahum. Copies: Supervisors Peskin, McGoldrick, Daly, and Ammiano. (79)

APPOINTMENTS BY THE MAYOR

Entertainment Commission
John Newlin
Justin Roja

Taxi Commission
James Slaughter

Small Business Commission
Irene Yee Riley

Retirement Systems Board
Richard Peterson, Jr.

Library Commission
Al Harris
Melvin Lee
Carlota Del Portillo

Human Rights Commission
Julius Turman
Victoria Ruiz
Doug Chan
Juvenile Probation Commission
Lidia Stiglich
Ellenice Patten

Civil Service Commission
Mary Jung

Commission on Aging
Veneracion Zamora
Bette Landis
Richard Ow
Edna James

Fire Commission
Steve Nakajo
Viktor Makras

Arts Commission
Topher Delaney
Sherri Young
Sherene Melania
Larry Rinder
Alexander Lloyd

Environment Commission
Matthew Tuchow
Angelo King

Public Utilities Commission
Ryan Brooks
Dick Sklar

Human Services Commission
Dr. Pablo Stewart

Health Services Commission
Scott Kahn
Anita Friedman

Health Commission
Steven Tierney
Catherine Waters
Sonia Melara
Jim Illig
Margine Sako

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised January 24, 2008

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.	080089	City Operations and Neighborhood Services Committee	Supervisor Alioto-Pier	1/15/08	2/14/08
Draft Ordinance amending Planning Code to create a community stabilization fund, PDR replacement fund, imposing fees on specified new developments in the Eastern Neighborhoods Area Plans.	080090	Land Use and Economic Development Committee	Supervisor Daly	1/15/08	2/14/08
Ordinance amending SF Police Code to prohibit the use of gas-powered leaf blowers within the City and County.	080094	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	1/15/08	2/14/08
Ordinance amending SF Planning Code requirements for off-street parking and loading for housing for seniors, physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities.	080095	Land Use and Economic Development Committee	Supervisor Peskin	1/15/08	2/14/08
Ordinance amending SF Police Code, to authorize a graduated surcharge on the gate fee for new alternate fuel vehicles put into service as SF taxicabs during the next 3 years, and requiring that all vehicles put into service as SF taxicabs after January 1, 2011 be alternate fuel vehicles.	080096	Budget and Finance Committee	Supervisor Sandoval	1/15/08	2/14/08

Ordinance amending the 2007 SF Building Code by adding a new Chapter to require commercial buildings to install more efficient fluorescent lighting or other lighting efficiency measures by 2009.	080100	Budget and Finance Committee	Mayor	1/15/08	2/14/08
Ordinance amending disclosures of votes cast in ranked-choice elections.	080035	Rules Committee	Supervisor Ammiano	1/8/08	2/7/08
Ordinance amending SF Planning Code to define three types of entertainment use.	080063	Land Use & Economic Development Committee	Mayor	1/8/08	2/7/08

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 5, 2008 2:00 PM

DOCUMENTS DEPT.

FEB - 1 2008

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursdays
1:00 PM

1st and 3rd Mondays
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the January 8, 2008 and January 15, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

1. 071607 [Trans Fat Free Program Ordinance]
 Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick
 Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

1/29/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?



2. 071512 [Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department]
Supervisor Dufty
Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.

Question: Shall this Resolution be ADOPTED?

3. 080037 [Grant to support vocational services to mentally ill individuals]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services to accept and expend retroactively a grant from the California Department of Rehabilitation in the total amount of \$3,310,497, with a cooperative CBHS match of \$895,980, for a budget total of \$4,206,477, to provide vocational rehabilitation services to clients through a cooperative contract agreement for the period of July 1, 2007 through June 30, 2010, waiving indirect costs.

Question: Shall this Resolution be ADOPTED?

4. 080038 [Funding modification to support HIV vaccine and prevention research]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a subcontract modification from the Public Health Foundation Enterprises, Inc. (PHFE) to support the research of the San Francisco Vaccine and Prevention Unit (SFVPU) in the amount of \$325,239; for the period of January 1, 2007 through December 31, 2007.

Question: Shall this Resolution be ADOPTED?

5. 080044 [Grant funding for a drug court in the San Francisco Dependency Court]
Supervisor Chu
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant increase in the amount of \$287,177, with a local general fund match of \$28,718, for a budget total of \$315,895, from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) to provide funding for a drug court in the San Francisco Dependency Court; for the period of July 1, 2007 through June 30, 2008.

Question: Shall this Resolution be ADOPTED?

6. 080045 [Grant funds to improve and expand substance abuse treatment services]
Supervisor Chu
Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant from the California Department of Alcohol and Drug Programs' (DADP) Comprehensive Drug Court Implementation (CDCI) in the total amount of \$713,132, with a local general fund match of \$142,627, for a budget total of \$855,759 to improve and expand substance abuse treatment services for adult felon drug court clients; for the period of January 1, 2007 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

7. 080046 [Accept and Expend CALFED Water Use Efficiency Grant Funds]**Supervisor Chu**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a CALFED Water Use Efficiency Grant in the amount of \$200,000 through the United States Bureau of Reclamation.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

8. 071581 [Changing the official sidewalk width - Townsend Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

(Public Works Department)

(DPW Order No. 177,191)

1/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety

Present: Supervisors Mirkarimi, Maxwell, Chu

9. 080049 [Accept and Expend FY 07 Urban Areas Security Initiative Grant and Amend Annual Salary Ordinance, FY 2007-2008]**Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, on behalf of the City and County San Francisco as the primary grantee for the combined Bay Area Urban Area ("Super UASI" or "SUASI") region and as the fiscal agent for the SUASI Approval Authority, to retroactively accept and expend an Urban Areas Security Initiative ("UASI") grant in the amount of \$27,304,000 from the United States Department of Homeland Security, through the California Governor's Office of Homeland Security; amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the extension of eight grant-funded positions at the following Departments: Emergency Management; Police; Fire; Health; and Sheriff; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of six grant-funded positions at the Department of Emergency Management.

1/29/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Chu

10. 080050 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]**
Supervisor Elsbernd
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of \$139,366 from the California Governor's Office of Emergency Services (OES) Anti-Drug Abuse Enforcement Program (ADA) for the purpose of reducing drug related crime through a coordinated approach.

Question: Shall this Resolution be ADOPTED?

11. 080059 **[Accept-Expend Federal Grant - Airport Commission]**
Supervisor Elsbernd
Resolution authorizing the Airport Commission to enter into an Other Transaction Agreement (OTA) with the Department of Homeland Security/Transportation Security Administration (TSA) to accept and expend federal funds for the installation of in-line explosive detection baggage system improvements in Terminal One of the San Francisco International Airport for an approximate amount of 75% of the project cost, not to exceed \$2,300,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

12. 080002 **[Settlement of Lawsuit - Daniel Worrell]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Worrell against the City and County of San Francisco for \$585,000; the lawsuit was filed on August 25, 2006 in San Francisco Superior, Case No. 455-569; entitled Daniel Worrell v. City and County of San Francisco, et al.
(City Attorney)

1/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 080015 **[Settlement of Lawsuit - Francis Kelly et al.]**
Ordinance authorizing the settlement of a lawsuit filed by Francis Kelly et al., acting for themselves and others similarly situated, against the City and County of San Francisco for \$755,000.00 plus accrued interest; the lawsuit was filed on February 25, 2005, in the United States District Court for the Northern District, Case No. C05-1287, entitled Francis Kelly, et al., v. City and County of San Francisco, et al.
(City Attorney)

1/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?



14. 080027 [Appointment - Commission on the Aging Advisory Council]
Motion appointing Patricia Webb, term ending March 31, 2009, to the Commission on the Aging Advisory Council.
Patricia Webb, succeeding Jim Dorenkott, term expired, seat 10, must be a nominee of District 5 Supervisor, for the unexpired portion of a two-year term ending March 31, 2009.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____



REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

15. 071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services] Supervisor Elsbernd
Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.
(Supervisor Daly dissented in Committee.)
(Fiscal Impact.)

12/11/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to February 5, 2008

Question: Shall this Resolution be ADOPTED?

From the Rules Committee With Recommendation "Do Submit"

Present: Supervisors Ammiano, Elsbernd, Peskin

16. 071664 [Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions]
Supervisor Elsbernd
Charter Amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

1/29/2008, CONTINUED. Continued to February 5, 2008

Question: Shall this Charter Amendment be SUBMITTED?



NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

17. 080051 **[Emergency contract to design and install permanent high voltage electrical distribution system at San Francisco General Hospital]**
Resolution approving an emergency public work contract under San Francisco Administrative Code section 6.60, to install a new, permanent high voltage electrical distribution system at San Francisco General Hospital.
(Public Works Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

18. 080052 **[Airport Lease and Operating Agreement]**
Resolution approving the exercise of the second of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343.
(Airport Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 080056 **[Approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen & Associates, for services related to the Fourth Street Bridge]**
Resolution approving a modified term in excess of ten years for Consultant Contract ENEN99000032-01 with TRC-Imbsen for design professional services related to the Fourth Street Bridge Seismic Retrofit and Rehabilitation project, under Charter Section 9.118(b).
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Duffy

20. 080123 **[Settlement of lawsuit and appropriating a portion of the proceeds]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating \$1,130,000.00 of the proceeds to the Department of Elections.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?



21. 080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]
Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices.
(Elections Department)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Duffy

22. 071526 [Public Employment - Entertainment Commission]
Supervisors Duffy, Alioto-Pier
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.33 FTE) Class 0923 – Manager II in the Entertainment Commission for the Office of Special Events.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 080092 [De-appropriating \$45,612 from Economic and Workforce Development and Appropriating \$45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008]
Supervisor Duffy
Ordinance de-appropriating \$45,612 of Community Based Organization Services from the Department of Economic and Workforce Development, and appropriating \$45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

24. 080058 [Renew Joint Power and Revolving Fund Contract with the State]
Supervisor Elsbernd
Resolution authorizing the Department of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (1) contract for, accept and expend up to \$1,356,678 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2007 through June 30, 2009; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of \$75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2007 through June 30, 2009.

Question: Shall this Resolution be ADOPTED?



Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

25. 071668 [Reauthorization of Food Security Task Force]

Supervisor Maxwell

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

26. 071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]

Supervisor Alioto-Pier

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations



SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

27. 080010 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 652 Duncan Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007 that a project at 652 Duncan Street (Building Permit Application No. 2005.12.23.0995, Case No. 2006.0665D) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project is a horizontal addition of two bedrooms and bathroom on a first floor and a dining room on a second floor, a vertical addition of a bedroom and bath, renovation of a kitchen and seismic improvements to a single-family dwelling, located in a RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District (Assessor's Block 6589, Lot 002J).

(Appellant: Stephen M. Williams)

(Filed December 7, 2007; companion measure to 080011, 080012, 080013; District 8.)

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board.
Continued to February 5, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.



(Only one of the following two motions should be approved.)

28. 080011 **[Affirming the categorical exemption issued for the 652 Duncan Street project]**
Motion affirming the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/15/2008, CONTINUED. Continued to February 5, 2008
Question: Shall this Motion be APPROVED?
29. 080012 **[Disapproving the categorical exemption issued for the 652 Duncan Street project]**
Motion disapproving the determination by the Planning Department that the 652 Duncan Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/15/2008, CONTINUED. Continued to February 5, 2008
Question: Shall this Motion be APPROVED?
30. 080013 **[Preparation of findings related to the 652 Duncan Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 652 Duncan Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 1/15/2008, CONTINUED. Continued to February 5, 2008
Question: Shall this Motion be APPROVED?



COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered at a Special Meeting of the Rules Committee on Thursday, January 31, 2008 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 5, 2008.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

31. 071589 **[Charter Amendment - City Elections In Even-Numbered Years]**
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.
- Question: Shall this Charter Amendment be SUBMITTED?
32. 071590 **[Charter Amendment - Providing for the election of members of the Municipal Transportation Agency's Board of Directors, their compensation, and their service as members of the Parking Authority Commission]**
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.
- Question: Shall this Charter Amendment be SUBMITTED?
33. 071591 **[Charter Amendment - City policy regarding diversity on City boards and commissions; prohibition on City employees serving as members of Charter boards and commissions]**
Supervisor McGoldrick
Charter Amendment (Third Draft) to amend Section 4.101 to (1) make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies, and (2) prohibit City employees from serving as members of boards and commissions created in the Charter.

Question: Shall this Charter Amendment be SUBMITTED?



34. 071663 [Charter Amendment - New hire qualifications for retiree health care; employer contributions for retiree health care for new hires; improving retirement benefits for City employees hired after January 10, 2009; retiree health care trust fund]
Mayor, Supervisor Elsbernd

Charter Amendment (Second Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and re-number Section A8.432 as Section A8.433 and amend it to fund retiree health benefits for the City and County of San Francisco and other participating employers.

Question: Shall this Charter Amendment be SUBMITTED?

35. 071667 [Charter Amendment - Requiring Board confirmation of appointments to the Public Utilities Commission; setting qualifications for members of the Commission]
Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano, Elsbernd
Charter Amendment (Second Draft) to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the Public Utilities Commission and to set qualifications for members of the Public Utilities Commission.

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the Government Audit and Oversight Committee on Monday, February 4, 2008 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 5, 2008.

36. 071371 [Taxicab gate cap; ratifying previous gate fees; gate surcharge for "clean air vehicles"; taxi fleet greenhouse gas emissions]

Supervisor Alioto-Pier

Ordinance amending the San Francisco Police Code by: amending Section 1135.1, to raise the taxicab gate cap to \$96.50 and to ratify gate fees previously charged up to \$91.50 per shift for the period from January 1, 2003 to October 27, 2006; by repealing current Section 1135.2, as obsolete; by adding a new Section 1135.2, to authorize a \$10.00 surcharge on the gate cap for clean air vehicles; and by adding Section 1135.3, to requiring taxi companies to reduce average per vehicle greenhouse gas emissions by 20 percent from 1990 levels by 2012

1/15/2008, RE-REFERRED to Government Audit and Oversight Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Economic Committee on Monday, February 4, 2008 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 5, 2008.

37. 071567 [Urging the Recreation and Park Commission to enter a grant agreement with a non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program.]

Supervisor Sandoval

Resolution urging the Recreation and Park Commission to enter a grant agreement with a community non-profit to enable the organization to develop a long-term funding and operational plan for a community-based youth and teen arts program

Question: Shall this Resolution be ADOPTED?



38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40. 080149 [Legislative Analyst Request for Best Zoo Practices]

Supervisor McGoldrick

Motion requesting the Legislative Analyst to draft a report analyzing the different types of zoos in the world and discuss some of the best practices in terms of animal well being (health, living space, etc), education and species conservation efforts. Also, compare the San Francisco Zoo in terms of the above best practices.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 41 through 50

41. 080163 [Urging the Mayor to Return Transit Funding to the Municipal Transportation Agency]
Supervisor Peskin
Resolution urging Mayor Gavin Newsom to return to the Municipal Transportation Agency positions and funds that are not directly related to the operations of the Agency.

1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 080171 [Commending Jean Shelton]
Supervisor Chu
Resolution proclaiming February 13, 2008 as Jean Shelton Day in San Francisco.

1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 080172 [Accept and expend gift in the amount of \$15,000]
Supervisor Chu
Resolution accepting and expending a gift in the amount of \$15,000 from Visa America to the Recreation and Park Department to support and expand the Recreation and Park Department's volleyball program and provide scholarships for San Francisco youth to participate.

1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 080173 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner]
Supervisors Elsbernd, Dufty
Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of \$95,000 from the Paul Coverdell Forensic Science Improvement Grants Program of the Department of Justice.

1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?



45. 080174 [Urging MTA to approve temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore for Farmers' Market]
Supervisor Mirkarimi
Resolution urging the Municipal Transportation Authority to enact temporary "Street Closure to Vehicular Traffic" regulations on O'Farrell Street between Steiner Street and Fillmore Street from 7 A.M. to 2 P.M. on every Saturday between April 26, 2008 and November 22, 2008.
- 1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 080175 [Peace Corps Week - February 25 - March 3, 2008]
Supervisor Peskin
Resolution proclaiming February 25 – March 3, 2008 as Peace Corps Week in San Francisco.
- 1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 080176 [Dr. Philip R. Day, Jr. Day - February 7, 2008]
Supervisor Peskin
Resolution proclaiming February 7, 2008 to be Dr. Philip R. Day, Jr. Day in San Francisco.
- 1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 080177 [Opposing Propositions 94, 95, 96, and 97]
Supervisors Peskin, Ammiano, Daly, Mirkarimi, Sandoval, McGoldrick, Maxwell
Resolution opposing Propositions 94, 95, 96, and 97 on the February 5th General Election.
- 1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 080169 [Suspension of Rule 6.13 regarding use of Legislative Chamber]
Supervisor Peskin
Motion suspending Rule 6.13 of the Rules of Order of the Board of Supervisors that limits the use of the Legislative Chamber to governmental purposes in order to permit filming activity by Milk, LLC and Groundswell Productions in the Chamber during a three-day period: February 28, February 29 and March 1, 2008.
- 1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?



50. 080170 [Access to Board of Supervisors Chamber]**Supervisor Peskin**

Motion directing the Clerk of the Board of Supervisors to negotiate with Milk, LLC and Groundswell Productions for the terms of access and use of the Board of Supervisors Chamber for set up and pre-lighting, filming, and clean-up (collectively "Filming Activity"), directing the Clerk of the Board to consult with the Executive Director of the Film Commission in ensuring that the terms of the Use Agreement between the City and Groundswell Productions are consistent with the City's general practices with respect to filming on City property and that such Use Agreement includes any additional provisions necessary to ensure proper treatment and protection of the Board of Supervisors Chamber, establishing that such filming activity by Groundswell Productions shall not interfere with the business of the Board of Supervisors, and mandating that Groundswell Productions' activity shall be subject to the special guidelines for use of the Board of Supervisors Chamber developed by the Clerk of the Board of Supervisors, in consultation with the City Architect, the Executive Director of the Film Commission and the City Attorney.

1/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION



PROPOSED ORDINANCES

Proposed ordinances received from January 22, 2008 through January 28, 2008 for reference by President to the appropriate committee on February 5, 2008.

080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit filed by Mark Chambers, et al. against the City and County of San Francisco on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA, entitled, Chambers et al. v. City and County of San Francisco.
(City Attorney)

1/24/2008, RECEIVED AND ASSIGNED to Rules Committee.

080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]

Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement.
(City Attorney)

1/25/2008, RECEIVED AND ASSIGNED to Rules Committee.

080138 [Changing the official sidewalk width - Berry Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

1/23/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080141 [Waiver of Administrative Code section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]

Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount.
(Public Utilities Commission)

1/25/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from January 22, 2008 through January 28, 2008 for reference by President to the appropriate committee on February 5, 2008.



- 080137 [Amending a contract with anticipated expenditures in excess of \$10 million]**
Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars (\$750,000) to thirteen million six hundred fifteen thousand dollars (\$13,615,000), pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)

1/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080140 [Airport Professional Services Agreement for Construction Management Services for the Terminal 2/Boarding Area D Project with Anticipated Expenditures in Excess of \$10 Million]**
Resolution approving the Professional Services Agreement, Airport Contract 8757.9 – Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities between T2 Partners, a Joint Venture of Parsons Transportation Group, EPC Consultants, Inc., and the Allen Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$15,000,000, pursuant to San Francisco Charter Section 9.118(b).
(Airport Commission)

1/25/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.



080182 [Petitions and Communications]

Petitions and Communications received from January 22, 2008 through January 28, 2008 for reference by the President to February 5, 2008.

From Clerk of the Board, submitting a copy of the Mayor's appointments to various Boards and Commissions to the Board of Supervisors. (1)

From Port of San Francisco, submitting As-Needed Professional Service Contracts – Fiscal Year 2007-08 – 2nd Quarter Report for the Period October 1, 2007 through December 31, 2007. (2)

From Secretary of State's Office, Elections Division, submitting Cassette Recording of Supplemental Official Voter Information Guide. (3)

From Superior Court of California, submitting a request for a supplemental appropriation in the amount of \$2,263,846.00. (4)

From Office of Historic Preservation, regarding San Francisco State Teacher's College Listing on the National Register of Historic Places. Copies: Each Supervisor (5)

From Citizens' General Obligation Bond Oversight Committee, submitting the 2007 Annual Report. (6)

From Human Services Agency, submitting Human Services Care Fund FY07-08 2nd Quarter Update and FY08-09 Annual Projection. (7)

From Office of the Legislative Analyst, submitting report on J-Power EPDC and J-Power USA. File No. 071587 (8)

From Department of the Environment, submitting a report on disposal alternatives for San Francisco. (9)

From San Francisco Fire Department, submitting response for information related to the Cosco Busan oil spill, (Reference No. 20071120-023). (10)

From Department of Public Works, submitting Quarterly Report of DPW's Defective Sidewalk Repair Revolving Account. (11)

From Municipal Transportation Agency, submitting the Tow refund Report. (12)

From City Administrator – Office of Public Finance, submitting response regarding Funding Mechanisms for Utility Undergrounding Citywide (Reference No. 20071120-006). (13)

From Golden Gate Bridge, Highway and Transportation District, submitting Fiscal Year 2006-2007 Annual Report. (14)

From Office of Labor Standards Enforcement, submitting the Sweatfree Advisory Group Annual Report. (15)

From Department of Emergency Management, submitting response for information related to the Cosco Busan oil spill, (Reference No. 20071113-001). (16)

From Municipal Transportation Agency, submitting response regarding possibility of installing vehicle speed reduction devices on Buckingham Way, (Reference No. 20071030-003). (17)

From Library Citizens Advisory Committee, submitting copy of Thank You letter to Literacy Program Manager, SF Public Library. (18)



From Stephen Bertram, regarding Polk Gulch Redevelopment and the proposed project at 1285 Sutter Street. Copies: Each Supervisor (19)

From concerned citizens, submitting support for the SF Zoo and expressing various concerns regarding the tiger mauling at the SF Zoo. File No. 080031, Copies: Each Supervisor. Received 39 Letters (20)

From Patrick Monette-Shaw, regarding major policy changes regarding Laguna Honda Hospital and the Board of Supervisor's 30-Day Rule. (21)

From Municipal Transportation Agency, submitting response regarding adding the name Dante Benedetti Lane to Jasper Alley. File No. 071675, Copies: Land Use and Economic Development Committee Members. (22)

From Mike Zelinsky, expressing concerns regarding parking meters on holidays in the City. Copies: Each Supervisor (23)

From Diana Peterson, submitting support for affordable housing at 55 Laguna Street. (24)

From Katia Tsvetkova, submitting opposition against Proposition A. (25)

From Department of the Environment, submitting a copy of response sent to a constituent regarding breastfeeding in the EcoCenter. (26)

From concerned citizen, expressing concerns regarding the City's alleged refusal to allow the Marine Corp to film in the City. Received 4 Letters (27)

From Gary Yee, submitting suggestion regarding pigeon droppings in the City. (28)

From concerned citizens, submitting support for the Flower Market. File No. 080093, Copies: Each Supervisor. Received 2 Letters (29)

From concerned citizens, regarding appeal of the Categorical Exemption issued for 3569-71 Sacramento Street. File No. 071578 (30)

From Karen Naman, submitting support to keep St. Luke's Acute Care/Surgery & Emergency Departments open. File No. 071489, Copies: Each Supervisor. (31)

From Alan Roberts, submitting comments regarding SF Examiner letter to editor "Property owners under siege in SF" dated 1/19/08. (32)

From Richard Skaff, submitting concerns regarding alleged Disability Access Violations at Cirque du Soleil. (33)

From Chris Shurtleff, submitting suggestions for water and transportation on Treasure Island. Copy: Supervisor Daly (34)

From W. Joseph Stegner, Jr., submitting poetic comments regarding the City. (35)

From Richard Skaff, submitting concerns regarding alleged Access Violation of public art at Pier 14. (36)

From concerned citizen, expressing concerns regarding Muni allowing some passengers to board some buses through the rear doors and fare collection. (37)



From Eula Walters, submitting opposition to construction on the Recreational property at 8 Washington Street. (38)

From Dr. Ahimsa Sumchai, submitting a copy of a 3 Point Media Message on CTs. (39)

From Dr. Ahimsa Sumchai, regarding demand for material and communications related to the 10/9/07 meeting. (40)

From Dr. Ahimsa Sumchai, submitting a copy of press release "City of San Francisco Steps Into Power Plant Lawsuit". (41)

From Dr. Ahimsa Sumchai, regarding Japan set to buy carbon credits from Europe. (42)

From Francisco Da Costa, submitting link to article regarding the Bayview Jobs, Parks, and Housing Initiative. (43)

From Francisco Da Costa, submitting link to article regarding affordable housing for those in need in the City. (44)

From Francisco Da Costa, submitting link to article regarding Lennar BVHP LLC. (45)

From Francisco Da Costa, submitting link to article regarding Islais Creek Intermodal Bridge. (46)

From Francisco Da Costa, submitting link to article regarding Dr. Martin Luther King, Jr. (47)

From Francisco Da Costa, submitting link to article regarding AIMCO, Local Union 22. (48)

From Kimo Crossman, regarding public records request for text messages about Oil Spill Emergency to Mayor Newsom. Received 4 Letters (49)

From Christian Holmer, regarding various Immediate Disclosure Request. Received 4 Letters (50)

From Denise D'Anne, submitting opposition to the Mayor's hiring of personnel. (51)

From Bruce Brugmann, regarding the SF Bay Guardian antitrust lawsuit against the SF Weekly (now Village Voice Media). (52)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised January 31, 2008

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.	080089	City Operations and Neighborhood Services Committee	Supervisor Alioto-Pier	1/15/08	2/14/08
Draft Ordinance amending Planning Code to create a community stabilization fund, PDR replacement fund, imposing fees on specified new developments in the Eastern Neighborhoods Area Plans.	080090	Land Use and Economic Development Committee	Supervisor Daly	1/15/08	2/14/08
Ordinance amending SF Police Code to prohibit the use of gas-powered leaf blowers within the City and County.	080094	City Operations and Neighborhood Services Committee	Supervisor Mirkarimi	1/15/08	2/14/08
Ordinance amending SF Planning Code requirements for off-street parking and loading for housing for seniors, physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities.	080095	Land Use and Economic Development Committee	Supervisor Peskin	1/15/08	2/14/08
Ordinance amending SF Police Code, to authorize a graduated surcharge on the gate fee for new alternate fuel vehicles put into service as SF taxicabs during the next 3 years, and requiring that all vehicles put into service as SF taxicabs after January 1, 2011 be alternate fuel vehicles.	080096	Budget and Finance Committee	Supervisor Sandoval	1/15/08	2/14/08

Ordinance amending the 2007 SF Building Code by adding a new Chapter to require commercial buildings to install more efficient fluorescent lighting or other lighting efficiency measures by 2009.	080100	Budget and Finance Committee	Mayor	1/15/08	2/14/08
Ordinance amending disclosures of votes cast in ranked-choice elections.	080035	Rules Committee	Supervisor Ammiano	1/8/08	2/7/08
Ordinance amending SF Planning Code to define three types of entertainment use.	080063	Land Use & Economic Development Committee	Mayor	1/8/08	2/7/08
Ordinance amending SF Planning Code to prohibit educational institutions services in Western SoMa	080156	Land Use & Economic Development Committee	Supervisor Peskin	1/29/08	2/29/08
Ordinance amending the Planning Code to require educational services and institutional uses for Mixed, Mixed Use Districts and NCD's to comply with provisions of the Master Plan	080157	Land Use & Economic Development Committee	Supervisor Peskin	1/29/08	2/29/08
Ordinance amending the Campaign and Governmental Conduct Code to prohibit accepting campaign contributions from contractors doing business with the City and County of San Francisco	080160	Rules Committee	Supervisor Peskin	1/29/08	2/29/08
Ordinance amending the Campaign and Governmental Conduct Code to prohibit making, soliciting or accepting contributions to members of the Board of Supervisors, candidates for the Board of Supervisors, the Mayor, candidates for Mayor and their controlled committees from any person with a land use matter before a Board or Commission.,	080161	Rules Committee	Supervisor Peskin	1/29/08	2/29/08
Ordinance amending the Campaign and Governmental Conduct Code to require disclosure of lobbying by campaign consultants	080162	Rules Committee	Supervisor Peskin	1/29/08	2/29/08

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 12, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursdays

1:00 PM

1st and 3rd Mondays

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Duffy

1. 080123 [Settlement of lawsuit and appropriating a portion of the proceeds - Department of Elections]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, against Election Systems and Software, Inc., on November 20, 2007 in San Francisco Superior Court, Case No. CGC 07-469371, entitled City and County of San Francisco, et al. v. Election Systems & Software, Inc, and appropriating \$1,130,000.00 of the proceeds to the Department of Elections.
(City Attorney)

2/5/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?



2. 080124 [Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]
Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices.
(Elections Department)

2/5/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

3. 071668 [Reauthorization of Food Security Task Force]
Supervisor Maxwell
Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.
- 2/5/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 080054 [Settlement of Lawsuits and Claims]
Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for \$1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.). (City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
5. 080055 [Settlement of Lawsuit - Teresa Yeung]
Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for \$87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. **080124** **[Department of Elections amendment to current voting systems contract with Sequoia Voting Systems, Inc.]**
Resolution approving an amendment to the existing contract between the City and County of San Francisco, through its Department of Elections, and Sequoia Voting Systems, Inc., to pay Sequoia \$1,130,000 rather than transfer to Sequoia the City's AutoMARK ballot marking devices, in connection with a settlement of litigation by the City against Elections System & Software involving those devices.
(Elections Department)

2/5/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

3. **071668** **[Reauthorization of Food Security Task Force]**
Supervisor Maxwell
Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.
- 2/5/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. **080054** **[Settlement of Lawsuits and Claims]**
Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for \$1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.).
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
5. **080055** **[Settlement of Lawsuit - Teresa Yeung]**
Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for \$87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 080120 [Settlement of City's Lawsuit Against Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$1,000,000 to the City from defendants Sempra Energy, Sempra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 080133 [Appointment - In-Home Supportive Services Public Authority]
Motion appointing Luis Calderon, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.
Luis Calderon, succeeding Margaret Coster, term expired, seat 11, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2009.

Question: Shall this Motion be APPROVED?

8. 080134 [Appointment - Child Care Planning and Advisory Council]
Motion appointing Simon Lee, term ending December 31, 2008, to the Child Care Planning and Advisory Council.
Simon Lee, succeeding Lisa Jaicks, term expired, seat 4, must be a nominee of District 4 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2008.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisor Peskin, Ammiano, Dufty

9. 071526 [Public Employment - Entertainment Commission]
Supervisors Dufty, Alioto-Pier, Daly
Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.33 FTE) Class 0923 – Manager II in the Entertainment Commission for the Office of Special Events.

2/5/2008, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

10. 080092 [De-appropriating \$45,612 from Economic and Workforce Development and Appropriating \$45,612 for Special Events Promotion in the Entertainment Commission for Fiscal Year 2007-2008]
Supervisors Dufty, Alioto-Pier, Daly
Ordinance de-appropriating \$45,612 of Community Based Organization Services from the Department of Economic and Workforce Development, and appropriating \$45,612 for one 0923 Manager II position (0.33 FTE) for special events promotion in the Entertainment Commission for Fiscal Year 2007-2008.

2/5/2008, PASSED ON FIRST READING. Supervisors Alioto-Pier and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation from the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Chu

11. 071536 [Access to and retention of community safety camera recordings]
Supervisors Sandoval, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

1/8/2008, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee With Recommendation "Do Submit"

Present: Supervisors Ammiano, Elsbernd, Peskin

12. 071667 [Charter Amendment - Requiring Board confirmation of appointments to the Public Utilities Commission; setting qualifications for members of the Commission]
Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano, Elsbernd
Charter Amendment (Second Draft) to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the Public Utilities Commission and to set qualifications for members of the Public Utilities Commission.

2/5/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

13. 071471 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]
Supervisor Alioto-Pier
Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

2/5/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Charter Amendment be SUBMITTED?

14. 071589 [Charter Amendment - City Elections In Even-Numbered Years]
Supervisor McGoldrick
Charter Amendment (Second Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

2/5/2008, CONTINUED. Continued to February 12, 2008

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

(File No. 071591 and File No. 071663)

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

15. 071591 [Charter Amendment - City policy regarding diversity on City boards and commissions]
Supervisor McGoldrick
Charter Amendment (Fourth Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female, minority, and disabled candidates to fill seats on appointive boards, commissions, or advisory bodies.

2/5/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

2/5/2008, CONTINUED AS AMENDED. Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

16. 071663 [Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]
Mayor, Supervisors Elsbernd, Peskin, Alioto-Pier
Charter Amendment (Third Draft) amending Section A8.428, to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; adding Sections 12.204, A8.409-7, and A8.590-8, and amending Section A8.432, to fund retiree health benefits for the City and County of San Francisco and other participating employers; adding Sections A8.404-1 and A8.409-8 so that economic provisions, including wages, shall not be increased for miscellaneous City and County employees for the fiscal year commencing July 1, 2009 and ending on June 30, 2010, and recognizing certain ongoing economic expenditures by the City and County in future years; and adding Sections A8.526-2 and A8.526-3, and amending Sections A8.509, A8.587-2 and A8.587-13, to increase retirement benefits for retirees and employees who retire on or after January 10, 2009 to encourage longer employment and retention and improved cost of living benefits for all retirees and employees.

2/5/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

2/5/2008, CONTINUED AS AMENDED. Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

17. **080053** **[Airport Concession Lease]**
Resolution approving the Boarding Area "F" Candy Store and Kiosks Lease between Pacific Gateway Concessions, LLC., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
- Question: Shall this Resolution be ADOPTED?
18. **080121** **[Lease of Real Property - 1390 Market Street]**
Resolution authorizing the exercise of a five-year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health.
(Real Estate Department)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Sandoval

19. **071371** **[Taxicab gate cap; ratifying previous gate fees; gate surcharge for low emission vehicles; taxi fleet greenhouse gas emissions]**
Supervisors Sandoval, Alioto-Pier, Peskin
Ordinance amending the San Francisco Police Code by: amending Section 1135.1, to raise the taxicab gate cap to \$96.50 and to ratify gate fees previously charged up to \$91.50 per shift for the period from January 1, 2003 to October 27, 2006; by repealing current Section 1135.2, as obsolete; by adding a new Section 1135.2, to authorize a \$7.50 surcharge on the gate cap for low emission vehicles; and by adding Section 1135.3, to require taxi companies to reduce average per vehicle greenhouse gas emissions by 20 percent from 1990 levels by 2012.
- 1/15/2008, RE-REFERRED to Government Audit and Oversight Committee.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 080138 [Changing the official sidewalk width - Berry Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

21. 080083 [Appointment, Entertainment Commission - John Newlin]
Motion approving the Mayor's nomination for appointment of John Newlin to the Entertainment Commission, for the term ending July 1, 2010.
(Clerk of the Board)
(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 1/15/08)

Question: Shall this Motion be APPROVED?

22. 080085 [Appointment, Entertainment Commission - Justin Roja]
Motion approving the Mayor's nomination for appointment of Justin Roja to the Entertainment Commission, for the term ending July 1, 2011.
(Clerk of the Board)
(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 1/15/08)

Question: Shall this Motion be APPROVED?

23. 080104 [Appointment, Urban Counties Caucus - Supervisor Carmen Chu]
Supervisor Peskin
Motion appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

Question: Shall this Motion be APPROVED?

24. 080105 [Appointment, California State Association of Counties - Supervisor Carmen Chu]
Supervisor Peskin
Motion appointing Supervisor Carmen Chu, term ending November 28, 2008, as a member to the California State Association of Counties Board of Directors.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

25. 080115 [Reappointment, Public Utilities Commission - Ryan Brooks]
Motion taking no position concerning the Mayor's reappointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2012.
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. (Transmittal date January 15, 2008)

Question: Shall this Motion be APPROVED?

26. 080119 [Reappointment, Public Utilities Commission - Richard Sklar]
Motion taking no position concerning the Mayor's reappointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2012.
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. (Transmittal date January 15, 2008)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

27. 080127 [Public Hearing - Conditional Use Appeal for 3571 Sacramento Street Project]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17524 dated December 20, 2007, relating to the approval of a Conditional Use Authorization (Case No. 2007.0971CE), under the Planning Code Sections 303 and 724.52 to establish a foreign language enrichment program for children, in the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 3571 Sacramento Street, Lot 023 in Assessor's Block 1019. (Appellants: Janis M. Platt and John C. Adams.)
(Filed January 22, 2008; companion measure to Files 080128, 080129, 080130; District 2.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

28. 080128 [Approving Planning Commission decision related to Conditional Use Appeal for 3571 Sacramento Street]
Motion approving decision of the Planning Commission by its Motion No. 17524, approving Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, and adopting findings pursuant to Planning Code Section 101.1.

Question: Shall this Motion be APPROVED?

29. 080129 [Disapproving Planning Commission decision related to Conditional Use Appeal for 3571 Sacramento Street]
Motion disapproving decision of the Planning Commission by its Motion No. 17524, approving Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, and adopting findings pursuant to Planning Code Section 101.1.

Question: Shall this Motion be APPROVED?

30. 080130 [Preparation of findings related to the Conditional Use Appeal for 3571 Sacramento Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0971CE on a property located at 3571 Sacramento Street, for action by the Board at its next meeting.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered at the Rules Committee on Thursday, February 7, 2008 at 10:00 a.m. The chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, February 12, 2008.

31. 080135 [Settlement of Lawsuit - Mark Chambers]
Ordinance authorizing settlement of the class action lawsuit filed by Mark Chambers, et al. against the City and County of San Francisco on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA, entitled, Chambers et al. v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 080064 [Confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]
Mayor
Motion confirming the appointment of Malcolm Heinicke to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Question: Shall this Motion be APPROVED?

33. 080065 [Confirming the appointment of Jerry Lee to the Municipal Transportation Agency Board of Directors, term ending March 1, 2011]
Mayor
Motion confirming the appointment of Jerry Lee to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2011.

Question: Shall this Motion be APPROVED?

34. 080066 [Confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2008]
Mayor
Motion confirming the appointment of Bruce Oka to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2008.

Question: Shall this Motion be APPROVED?

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 37 through 47

37. 080197 [Supporting Assemblyman Mark Leno's efforts to establish a State Holiday on Harvey Milk's Birthday]
Supervisor Ammiano
Resolution supporting Assemblyman Leno's efforts to establish a non-fiscal State Holiday on Harvey Milk's Birthday, May 22.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 080198 [Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]
Supervisors Daly, McGoldrick, Mirkarimi
Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 080199 [Accept-Expend Grant - Public Defender]
Supervisor Mirkarimi
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of \$25,000 from The San Francisco Foundation for a senior clerk position and consulting services to support the implementation of the Safe Communities Reentry Council's strategic plan.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

40. 080200 [Requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Avenue from Geary Avenue to Haight Street]
Supervisors Mirkarimi, McGoldrick
Resolution requesting the Municipal Transportation Agency to work with other city agencies to develop a timeline and funding plan for a comprehensive planning process on Masonic Avenue from Geary Boulevard to Haight Street including traffic calming and pedestrian and bicycle safety improvements.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 080201 [Extending Deadline for the Annual Report on Community Safety Cameras]
Supervisor Mirkarimi
Resolution approving an extension on the deadline for the annual report to the Board of Supervisors on all community safety cameras located in the City and County of San Francisco from January 17, 2008 to March 20, 2008, one year from the date of installation of the cameras.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 080202 [Policy regarding bay infill at San Francisco International Airport]
Supervisors Peskin, Maxwell
Resolution establishing policy on bay infill for runway expansion at San Francisco International Airport.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 080203 [Issuance and Sale of Revenue Bonds - Aspen South Hills]
Supervisor Peskin
Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments in an aggregate principal amount not to exceed \$4,500,000 for financing the acquisition and rehabilitation of Aspen South Hills, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
44. 080204 [Grand Jury Awareness Month]
Supervisor Peskin
Resolution declaring February 2008 as Civil Grand Jury Awareness month in San Francisco.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

45. 080205 [Accept and expend gift in the amount of \$25,000 - Recreation and Park Department]
Supervisor Duffy
Resolution accepting and expending a gift-in-place, valued at up to \$25,000 from the United States Tennis Association to the Recreation and Park Department to initiate funding for the planning for the renovation of the Golden Gate Park Tennis Center in Golden Gate Park.

2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 080206 [Gift to the Recreation and Park Department - \$16,000]
Supervisor Duffy
Resolution accepting and expending a gift of \$16,000 from the Friends of Noe Courts via the Parks Trust to the Recreation and Park Department for the play area at Noe Valley Tennis Courts.

2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 080168 [Final Map - 3189 21st Street]
Motion approving Final Map 4225, a 3 Unit Residential and 2 Unit Commercial Mixed-Use Condominium Project, located at 3189 21st Street being a subdivision of Lot 071 in Assessors Block No. 3615 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

1/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda:*

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from January 29, 2008 through February 4, 2008 for reference by President to the appropriate committee on February 12, 2008.

- 080210** [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization]

Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Planning Department)

1/7/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/6/2008.

080220 [Petitions and Communications #1]

Petitions and Communications received from January 29, 2008 through February 4, 2008 for reference by the President to February 12, 2008.

Part 1

From San Francisco Police Department, submitting L.E.P. (Limited English Speakers) 2007 Final Report. (1)

From San Francisco International Airport, submitting 2008-09 Efficiency Plan. Copies: Each Supervisor (2)

From Office of the Treasurer & Tax Collector, submitting Report on Revenue Control Equipment Ordinance. (3)

From Planning Department, submitting environmental review document regarding Treasure Island and Yerba Buena Island Redevelopment Plan NOP, File No. 2007.0903E. (4)

From Risk Management Division, submitting Indemnification Quarterly Report October-December 2007. (5)

From Department of Child Support Services, submitting FY 08-09 Efficiency Plan & Performance Measures. (6)

From Planning Department, submitting 2006 San Francisco Housing Inventory Report. (7)

From Office of the Controller – City Services Auditor, submitting report concerning the Concession Audit of SFO Equities, LLC, dba Burger King. (8)

From Office of the Controller – City Services Auditor, submitting report concerning the Concession Audit of Air New Zealand Limited. (9)

From Department of Public Health, submitting Department of Public Health Efficiency Plan. (10)

From Office of the City Administrator, regarding Public Safety Surveillance Cameras. Copies: Each Supervisor (11)

From Public Defender, submitting Public Defender's 2008-09 Budget Submission – Part 1 Efficiency Plan and Performance Measures. (12)

From Department of Elections, regarding Preparations for the February 5, 2008 Presidential Primary Election. Copies: Each Supervisor (13)

From Department on the Status of Women, submitting FY 2008 Efficiency Plan. Copies: Each Supervisor (14)

From Adult Probation, submitting FY 2008 Efficiency Plan. Copies: Each Supervisor (15)

From Public Utilities Commission, submitting 2008 Efficiency Plan. Copies: Each Supervisor (16)

From SF Public Library, submitting FY 08-09 Efficiency Plan and Performance Measures. Copies: Each Supervisor (17)

From Department of Emergency Management, submitting Fiscal Year 2008-09 Efficiency Plan. Copies: Each Supervisor (18)

From Residential Rent Stabilization and Arbitration Board, submitting department's Efficiency Plan. Copies: Each Supervisor (19)

From Adult Probation Department, submitting Efficiency Plan. (20)

From Office of the Controller – Office of the Controller, submitting Efficiency Plan and Customer Service Plan. (21)

From Civil Service Commission, submitting Fiscal Year 2008-09 Efficiency Plan and Customer Service Plan. (22)

From Human Services Agency, submitting Efficiency Plan. Copies: Each Supervisor (23)

From Office of Citizen Complaints, submitting Efficiency Plan for budget year 2008-2009. (24)

From General Services Agency / City Administrator, submitting Efficiency Plan Fiscal Year 2008-2009. (25)

From Health Service System, submitting Efficiency Plan and Performance Measures. (26)

From San Francisco Police Department, submitting 2008/09 Efficiency Plan. (27)

From Department of Public Health, submitting Efficiency Plan. (28)

From Department of Elections, regarding Emergency Plan for February 5, 2008 Election. (29)

From San Francisco Law Library, submitting Efficiency Plan and Performance Measures. (29)

From Fine Arts Museum of San Francisco, submitting 2008 Efficiency Plan. (30)

From Municipal Transportation Agency - DPT, submitting response to status of signal upgrade project at 9th/Irving and 9th/Judah (Reference No. 20071106-006). (31)

From Controller's Office – City Services Auditor Division, submitting Whistleblower Mid Year Report. (32)

From Controller's Office – City Services Auditor Division, submitting link to Fare Free Muni System Feasibility Analysis Report. (33)

From SF City Clinic, submitting December 2007 Monthly STD Report. (34)

From concerned citizens, submitting support to keep St. Luke's Acute Care/Surgery & Emergency Departments open. File No. 071556, Copies: Each Supervisor, Received 22 Letters. (35)

From Today's Furniture, submitting support for the Mission/Bernal Formula Retail Restricted Use District. File No. 071561, Copies: Land Use and Economic Development Committee Members. (36)

From Office of the Mayor, requesting continuance on behalf of Mr. Sklar at Rules Committee Meeting, File No. 080119. (37)

From Maruis Phillips, submitting support for the Continuum of Care Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board 2007-2012. File No. 080047, Copies: City Operations and Neighborhood Services Committee Members. (38)

From concerned citizen, submitting opposition to the taxi gate increase. File No. 070605, Copies: Each Supervisor. (39)

From David Tornheim, submitting support for the proposed Charter Amendment that would provide for election of members of MTA's Board of Directors, their compensation, and their service as members of the Parking Authority Commission. File No. 071590, Copies: Each Supervisor. (40)

From Willa Crowell, submitting support for the resolution urging Mayor to return transit funding to MTA. File No. 080163, Copies: Each Supervisor. (41)

From Law Offices of Stephen Williams, submitting Executive Summary of CEQA Appeal Issues regarding 652 Duncan St. Appeal of Categorical Exemption. File No. 080011, Copies: Each Supervisor. (42)

From Brett Gladstone, submitting response to Appeal of Categorical Exemption for 652 Duncan Street. File No. 080010, Copies: Each Supervisor. (43)

From Law Offices of Stephen Williams, submitting Supplemental Letter Brief for 652 Duncan St. Appeal of Categorical Exemption. File No. 080010, Copies: Each Supervisor and City Attorney. (44)

From Law Offices of Stephen Williams, submitting Appellants' material in support of the Appeal of Categorical Exemption for 652 Duncan St. File No. 080010, Copies: Each Supervisor. (45)

From concerned citizen, opposing the Eastern Neighborhood Plan and New Zones, File No. 070535. (46)

From concerned citizens, submitting support for the SF Zoo and expressing various concerns regarding the tiger mauling at the SF Zoo. File No. 080031, Copies: Each Supervisor. Received 11 Letters (47)

From concerned citizens, submitting support for school parking permits for the City's teachers. Received 5 Letters (48)

From concerned citizens, submitting opposition for school parking permits for the City's teachers. Received 4 Letters (49)

From Amelio Schembari, concerning permits being issued for the construction of rooms in the garage that are allegedly later converted into illegal units causing parking problems in the City's neighborhoods. (50)

From Kevin Goldsack, expressing concerns regarding over crowding and lateness of the 44 Bus Line. Copy: Supervisor Annunzio. (51)

From Thomas Flood, submitting suggestion that the City ban the use of cigarettes or other tobacco products in apartment buildings. Copy: Each Supervisor (52)

From Lynne Galal, expressing concerns regarding over crowding and lateness of the 1AX Bus Line. Copy: Supervisor McGoldrick (53)

From Department of Public Works, submitting response regarding graffiti clean-up at various locations in District 5, (Reference No.20071204-009). (54)

From concerned citizen, submitting copy of article entitled "Calif. Task Force Delivers Fire Report". (55)

From concerned citizens, submitting opposition to the taxicab gate increase. File No. 070605, Copies: Each Supervisor. Received 3 Letters (56)



080221 [Petitions and Communications #2]

Petitions and Communications received from January 29, 2008 through February 4, 2008 for reference by the President to February 12, 2008.

From Callen Taylor, seeking City's assistance to raise funds to repair Hamilton Playground (57)

From Richard Schwaninger, concerning military present in San Francisco. (58)

From concerned citizens, expressing concerns regarding President Bush's State of the Union Address. Received 2 Letters (59)

From Barbara Kolesar, expressing concerns regarding the City's retirement plan. (60)

From Eric Brooks, expressing concerns regarding the police shooting of a man with a knife in the City. Copy: Each Supervisor (61)

From concerned citizen, expressing concerns regarding the use of plastic bags for umbrellas at City Hall. Copies: Each Supervisor and Building Management. (62)

From Office of the Mayor, appointing Tanya Peterson to the Board of Permit Appeals, effective February 1, 2008. Copies: Each Supervisor (63)

From Office of the Mayor, appointing Katie Albright to the Juvenile Probation Commission, effective February 1, 2008. Copies: Each Supervisor (64)

From Supervisor Maxwell, submitting a copy of "Made In San Francisco", findings and recommendations from the Back Streets Business Advisory Board. (65)

From Employees' Retirement System, submitting report regarding proposed Charter Amendment – New hire qualifications for retiree health care; employer contributions for retiree health care for new hires; improving retirement benefits for City employees hired after January 10, 2009; retiree health care trust fund. File No. 071663 (66)

From Employees' Retirement System, submitting report regarding proposed Charter Amendment – New hire qualifications for retiree health care; employer contributions for retiree health care for new hires; retirement benefits for City employees retiring after January 10, 2009 and remaining in service up to and after age 60. File No. 071673 (67)

From Francisco Da Costa, submitting link to article regarding Lennar. Received 3 Letters (68)

From Francisco Da Costa, submitting link to article regarding land in Bayview Hunters Point Area. (69)

From Teresa Palmer, opposing the settlement of the Chambers lawsuit against the City. File No. 080135, Copies: Each Supervisor. (70)

From Robert Wollner, regarding the Space Science Laboratory in Phoenix, Arizona. (71)

From Phil Christe, expressing concerns regarding the way the City treats our country's armed forces. (72)

From Department of Public Works, submitting response regarding graffiti clean-up at various locations in District 5 (Reference No. 20071204-009). (73)



From Bob Nichols, regarding Community First Coalition. (74)

From Ahimsa Sunchai, expressing concerns regarding the loss of African American families in the City since 2000. (75)

From Kimo Crossman, expressing concerns regarding the one minute public comment at a meeting he attended. (76)

From Steve Moazed, expressing concerns regarding a dilapidated commercial space at 200 Balboa. Copy: Supervisor McGoldrick (77)

From Kimo Crossman, regarding a Sunshine Taskforce complaint and Order of Determination. (78)

From Christian Holmer, regarding various Immediate Disclosure Requests. Received 4 Letters (79)

From Pauline Peele, submitting opposition to the closing of the City's workers' compensation clinic at SFGH. Copies: Each Supervisor (80)

From Greg Hayes, expressing concerns regarding the traffic safety changes at the intersection of Fell/Masonic. (81)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, February 26, 2008 2:00 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 21 2008

SAN FRANCISCO
PUBLIC LIBRARY

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors Peskin, Ammiano, Dufty

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Maxwell, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors McGoldrick, Alioto-Pier, Chu

Government Audit and Oversight Committee

Supervisors Elsbernd, Alioto-Pier, Daly

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, McGoldrick

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Chu

Rules Committee

Supervisors Ammiano, Elsbernd, Peskin

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

2nd and 4th Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

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ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the January 29, 2008 and February 5, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8**Recommendation of the City Operations and Neighborhood Services Committee**

Present: Supervisors McGoldrick, Alioto-Pier, Chu

1. **080158** [Apply for Grants from a State Agency - Department of the Environment]
Supervisor Alioto-Pier
Resolution authorizing the Department of the Environment to apply for a grant of up to \$200,000 from the California Energy Commission for the purpose of studying the feasibility of the use of Geothermal Heat Pumps as a source of renewable energy for the City of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

2. **080138** [Changing the official sidewalk width - Berry Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1577 to change the official sidewalk width on the northerly side of Berry Street between 7th and DeHaro Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

2/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

3. **080054** [Settlement of Lawsuits and Claims]
Ordinance authorizing settlement of claims made by Plaintiffs Kurt Bruneman, Tom Feledy, Narda Gillespie, Michael Hughes, Gregory Mar, Donna Meixner, Mark Osuna, Frederick Schiff, Mark Sullivan, Dennis Quinn, Donald Woolard, Michael Zurcher in a multi-party action against the City and County of San Francisco for \$1,600,000.00, and City to credit Mark Sullivan with 125.5 compensation time hours; the three lawsuits for the above-mentioned plaintiffs were all filed in the United States District Court, Northern District, Case No. C03-4345 (filed on January 16, 2003 and entitled Frederick Schiff v. City and County of San Francisco, et al.), Case No. C04-2261 (filed on June 8, 2004 and entitled Narda Gillespie, et al. v. City and County of San Francisco, et al.), Case No. C04-2262 (filed on June 8, 2004 and entitled Mark Osuna v. City and County of San Francisco, et al.).
(City Attorney)

2/12/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 080055 [Settlement of Lawsuit - Teresa Yeung]
Ordinance authorizing the settlement of a lawsuit filed by Teresa Yeung, against the City and County of San Francisco for \$87,500.00; the lawsuit was filed on July 23, 2007, in San Francisco Superior Court, Case No. 07-465400, entitled Teresa Yeung v. City and County of San Francisco.

2/12/2008, PASSED, ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

5. 080120 [Settlement of City's Lawsuit Against Semptra Energy, Semptra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Semptra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Semptra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$1,000,000 to the City from defendants Semptra Energy, Semptra Energy Trading Corp., Southern California Gas Co. and San Diego Gas and Electric Co.
(City Attorney)

2/12/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd

6. 080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]
Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 080183 [Appointment - Biodiesel Access Task Force]
Motion appointing Eric Smith, Kevin Clark, Michele Swiggers and Joe Burgard, terms ending December 31, 2009, to the Biodiesel Access Task Force.
Eric Smith, succeeding Melissa Hardy, term expired, seat 3, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.
Kevin Clark, succeeding Karri Ving, resigned, seat 5, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.
Michele Swiggers, new appointment, seat 6, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.
Joe Burgard, new appointment, seat 7, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer, for a term ending December 31, 2009.

Question: Shall this Motion be APPROVED?

8. 080184 [Appointment - In-Home Supportive Services Public Authority]
Motion appointing Tatiana Kostanian, term ending March 1, 2010, to the In-Home Supportive Services Public Authority.
Tatiana Kostanian, succeeding Elizabeth Grigsby, resigned, seat 9, must be a member of the Mayor's Disability Council, recommended to the Board by the Council, for the unexpired portion of a three-year term ending March 1, 2010.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

9. 080217 [Adopting findings related to affirming the categorical exemption issued for 652 Duncan Street]
Motion adopting findings related to affirming the determination by the Planning Department that the 652 Duncan Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

2/12/2008, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

10. 080254 [Adopting findings related to the conditional use appeal on property located at 3571 Sacramento Street]
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2007.0971CE (which authorized the establishment of a foreign language enrichment program for children) in the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District, pursuant to Planning Code Sections 303 and 724.52, on property located at 3571 Sacramento Street (Lot 023 in Assessor's Block 1019).

2/13/2008, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

11. 071593 [Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]
Supervisor Elsbernd
Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed \$17,100,000.
(Supervisor Daly dissented in Committee.)
(Fiscal Impact.)

12/11/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to February 5, 2008

2/5/2008, CONTINUED. Continued to February 26, 2008

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Elsbernd, Alioto-Pier, Sandoval

12. 071371 [Taxicab gate cap; ratifying previous gate fees; gate surcharge for low emission vehicles; taxi fleet greenhouse gas emissions]
Supervisors Sandoval, Alioto-Pier, Peskin
Ordinance amending the San Francisco Police Code by: amending Section 1135.1, to raise the taxicab gate cap to \$96.50 and to ratify gate fees previously charged up to \$91.50 per shift for the period from January 1, 2003 to October 27, 2006; by repealing current Section 1135.2, as obsolete; by adding a new Section 1135.2, to authorize a \$7.50 surcharge on the gate cap for low emission vehicles; and by adding Section 1135.3, to require taxi companies to reduce average per vehicle greenhouse gas emissions by 20 percent from 1990 levels by 2012.

1/15/2008, RE-REFERRED to Government Audit and Oversight Committee.

2/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

13. 080135 [Settlement of Lawsuit - Mark Chambers]
Ordinance authorizing settlement of the class action lawsuit filed by Mark Chambers, et al. against the City and County of San Francisco on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA, entitled, Chambers et al. v. City and County of San Francisco.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Peskin

14. 07166.3 [Charter Amendment - New hire qualifications for retiree health care; improved retirement benefits for miscellaneous employees retiring on or after January 10, 2009]
Mayor, Supervisors Elsbernd, Alioto-Pier, Mirkarimi, Chu
Charter Amendment (Second Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and re-number Section A8.432 as Section A8.433 and amend it to fund retiree health benefits for the City and County of San Francisco and other participating employers.

2/5/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

2/5/2008, CONTINUED AS AMENDED. Continued to February 12, 2008 with the Board Sitting as a Committee of the Whole.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

2/12/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to February 26, 2008

Supervisor Chu requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

Board of Supervisors Sitting as a Committee of the Whole

15. 071536 [Access to and retention of community safety camera recordings]
Supervisors Sandoval, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.

1/8/2008, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 12, 2008

2/12/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/12/2008, CONTINUED AS AMENDED. Continued to February 26, 2008 with the Board Sitting as a Committee of the Whole.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

16. 071671 [De-appropriating \$50,000 Golden Gate Park Stables General Fund project and Re-appropriating \$50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008]
Supervisor McGoldrick
Ordinance de-appropriating \$50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating \$50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.
- Question:** Shall this Ordinance be PASSED ON FIRST READING?
17. 080098 [Appropriating \$55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008.
(Mayor)
(Fiscal Impact.)
- Question:** Shall this Ordinance be PASSED ON FIRST READING?

18. 080079 [Airport Environmental Review]
Resolution adopting CEQA Findings Related to the Terminal 2/ Boarding Area D Renovation Project at San Francisco International Airport.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

19. 080188 [Hiring of Recreation Directors]
Supervisors Annunzio, Duffy, Peskin
Resolution urging the Mayor to reinstate hiring of all vacant Recreation Director positions.

Question: Shall this Resolution be ADOPTED?

20. 080122 [Approval of Mental Health Services Act (MHSA) Agreement and authorization to designate the Director of Community Behavioral Health Services (CBHS) to sign said agreement]
Resolution retroactively approving the Mental Health Services Act Contract No. 07-77338-000, incorporating Community Program Planning Funds in FY04-05 and Community Services and Supports Funds for Fiscal Years 05-08, with the Department of Mental Health for \$18,922,386 and authorizing the San Francisco Department of Public Health (SFDPH) - CBHS Director to sign said agreement and any and all amendments in the future, including increases to add other components of MHSA.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

21. 080137 [Amending a contract with anticipated expenditures in excess of \$10 million]
Resolution approving the Tenth Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by three (3) months to May 31, 2008 and increasing the total compensation to the Contractor by seven hundred fifty thousand dollars (\$750,000) to thirteen million six hundred fifteen thousand dollars (\$13,615,000), pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

22. 080166 [Authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building located at 525 Golden Gate Ave]

Mayor

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, demolition, improvement, installation, equipping, rehabilitation, construction and/or reconstruction of an office building and related property located at 525 Golden Gate Avenue; approving the form of a trust agreement between the City and County of San Francisco (the "City") and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of a property lease between the City and a trustee relating to 525 Golden Gate Avenue; approving the form of a project lease between the City and a trustee (including certain indemnities contained therein); approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31 and findings pursuant to the City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 080167 [Approval of Amendment No. 4 to architectural design agreement for the new Public Utilities Commission administration building located at 525 Golden Gate Avenue, San Francisco]

Mayor

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Amendment No. 4 to architectural design agreement for the new San Francisco Public Utilities Commission administration building project located at 525 Golden Gate Avenue to increase the contract value by \$7,090,000 to bring the total contract value to \$11,550,000, and extend the contract duration by 26 months for a total duration of 44 months. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano

24. 080151 [Accept-Expend Regional Grant - Airport Commission]
Supervisor Chu

Resolution authorizing the Airport Commission to accept and expend two (2) grants totaling \$298,000 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

25. 080017 [Liquor License - 837 Divisadero Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license to Eric Whitaker for Mini Bar SF LLC, located at 837 Divisadero Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

26. 080047 [Continuum of Care: Five-Year Strategic Plan of the San Francisco Local Homeless Coordinating Board 2007-2012]
Supervisor Daly
Resolution declaring the policy that the Five-Year Strategic Plan of the San Francisco Local Homeless Board titled "Toward Ending Homelessness in San Francisco: A Five Year Strategic Plan of the San Francisco Local Homeless Coordinating Board" is the City and County of San Francisco's official homeless policy document and governs the development of an integrated, effective and coordinated system of housing, health care, employment and support services to end homelessness.

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

27. 080091 [Treasure Island Affordable Housing]
Resolution encouraging the Treasure Island Development Authority and Mayor's Office of Housing to explore how to increase the percentage of affordable housing to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

28. 071299 [Updating a statutory reference in provision regarding settlement of minors' claims]
Supervisor Peskin
Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Elsbernd, Dufty

29. 080195 [Extending the Joint City and School District Committee for one year]
Supervisors Peskin, Dufty
Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

Question: Shall this Motion be APPROVED?

30. 080207 [Appointment, Municipal Transportation Agency Board - Bruce Oka]
Mayor
Motion confirming the appointment of Bruce Oka to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

Question: Shall this Motion be APPROVED?

31. 080208 [Appointment, Municipal Transportation Agency Board - Malcolm Heinicke]
Mayor, Supervisor Dufty
Motion confirming the appointment of Malcolm Heinicke to the Municipal Transportation Agency Board of Directors, term ending March 1, 2012.

Question: Shall this Motion be APPROVED?

32. 080215 [Appointment - Board of Appeals, Tanya Peterson]
Motion approving the Mayor's appointment of Tanya Peterson to the Board of Appeals for the term ending July 1, 2008.
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - February 1, 2008).

Question: Shall this Motion be APPROVED?

Present Supervisors Ammiano, Duffy

33. 080165 [Appointment- Peninsula Corridor Joint Powers Board]
Supervisor Peskin
Motion appointing Supervisor Sean S. Elsbernd to the Peninsula Corridor Joint Powers Board.
(Supervisor Elsbernd was excused from voting in Committee).

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present Supervisors Ammiano, Elsbernd

34. 071679 [Solar Energy Incentive Program]
Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.
(Assessor-Recorder)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 080259)

35. 080256 [Public Hearing - Certification of Appropriateness for alterations to the Board of Supervisors' Legislative Chamber]
Hearing on the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Action: _____

(Only one of the following two motions should be approved.)

36. 080257 [Approving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]
Motion approving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Question: Shall this Motion be APPROVED?

37. 080258 [Disapproving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]
Motion disapproving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.****APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

38. 071265 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea) (Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to February 26, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

39. 071266 **[Affirming the Categorical Exemption issued for 2721 Pierce Street]**
Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
- 10/2/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to February 26, 2008
Question: Shall this Motion be APPROVED?
40. 071267 **[Disapproving the Categorical Exemption issued for 2721 Pierce Street]**
Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.
- 10/2/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to February 26, 2008
Question: Shall this Motion be APPROVED?
41. 071268 **[Preparation of findings related to the 2721 Pierce Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.
- 10/2/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to February 26, 2008
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

42. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]
- Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005 1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971, Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

8/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

- 43. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?

- 44. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?

- 45. 070913 [Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007

9/18/2007, CONTINUED. Continued to October 2, 2007

10/2/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to November 13, 2007

11/13/2007, CONTINUED. Continued to December 4, 2007

12/4/2007, CONTINUED. Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. Continued to February 26, 2008

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures

The following item will be considered by the Rules Committee on Thursday, February 21, 2008 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 26, 2008.

46. 080062 [Regulating the permitted locations of new liquor stores and their conditions of operation]
Supervisors Sandoval, Alioto-Pier
Motion ordering submitted to the voters an Ordinance authorizing amendment of the Planning Code by adding Section 226.5 to impose a distance requirement of 1,000 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries and recreation centers and establishing conditions for operation of liquor stores at an election to be held on June 3, 2008.
(Economic Impact)

1/29/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute motion bearing the same title.

Question: Shall this Motion be APPROVED?

The following item will be considered at a Special Government Audit and Oversight Committee on Monday, February 25, 2008 at 10:00 a.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 26, 2008.

47. 080190 [Approval of Amendment to Security Guard Services Contract]
Supervisor Elsbernd
Resolution approving Amendment to Armed and Unarmed Security Services Contract for Municipal Railway Revenue and Cost Accounting Divisions.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee on Monday, February 25, 2008 at 1:00 p.m. The chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, February 26, 2008

48. 080189 [Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)]
Supervisor Duffy
Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

50. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 51 through 61

51. 080259 [Committee of the Whole - February 26, 2008 for hearing on the Planning Commission's Certification of Appropriateness for alterations to the Board of Supervisors' Legislative Chamber]

Motion to sit as a Committee of the Whole for hearing on the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 – 1 Dr. Carlton B. Goodlett Place.

2/21/2008, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 080256, Board to sit as a Committee of the Whole on February 26, 2008.

Question: Shall this Motion be APPROVED?

52. 080198 [Condemning Drug Enforcement Agency Actions Against Property Owners Leasing Space to Medical Cannabis Dispensaries]
Supervisors Daly, McGoldrick, Mirkarimi, Ammiano, Peskin
Resolution reaffirming that the City and County of San Francisco is a sanctuary for medical cannabis, an integral component of which are property owners who, pursuant to City regulations, lease space to authorized Medical Cannabis Dispensaries ("MCD"s) that provide needed services to qualified medical cannabis patients and their caregivers, and that the City vehemently condemns the Drug Enforcement Agency (DEA) for issuing sensational letters to these property owners threatening asset forfeiture and imprisonment.
- 2/5/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 2/12/2008, CONTINUED Continued to February 26, 2008
Supervisors Ammiano and Peskin requested to be added as co-sponsors.
- Question: Shall this Resolution be ADOPTED?
53. 080241 [Red Cross Month - March 2008]
Supervisor Elsbernd
Resolution proclaiming March 2008 as Red Cross Month in San Francisco.
- 2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 080242 [Honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco]
Supervisor Duffy
Resolution honoring Marge Gambelin for her dedication and her work with the Planning Department of the City and County of San Francisco.
- 2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 080243 [Commendation of Equality California]
Supervisors Sandoval, Ammiano, Duffy
Resolution commending Equality California, the statewide organization that is championing equality for Lesbian, Gay, Bisexual, and Transgender people in California, on a successful 10th Anniversary 2008 Equality Awards Gala.
- 2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
56. 080244 [Sidewalk Memorial Plaques]
Supervisors Daly, Mirkarimi
Resolution urging the Department of Public Works to approve Mr. Ian Brennan's encroachment applications for installation of commemorative bronze sidewalk plaques.
- 2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

57. 080245 [Declaring intent of the City and County of San Francisco with regard to pending legislation amending the Medical Cannabis Act of 2005]
Supervisors Daly, Ammiano, Mirkarimi
Resolution declaring the intent of the City and County of San Francisco not to take enforcement action against those medical cannabis dispensaries that have properly applied for the necessary permits before August 17, 2007, while current legislation is pending to extend the deadline for obtaining final MCD permits from the Department of Public Health.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
58. 080246 [Lifting time limits in rental subsidy program for low income families]
Supervisors Daly, Ammiano, Mirkarimi
Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
59. 080247 [Supporting Earth Hour - March 29, 2008]
Supervisors Alioto-Pier, Elsbernd, Dufty
Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on March 29, 2008 to conserve energy as part of the city-wide energy conservation event: Earth Hour San Francisco, and establishing March 29, 2008 as Earth Hour San Francisco Day.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
60. 080248 [Approval of an additional 90 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission hearing]
Supervisor Mirkarimi
Resolution extending by an additional 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

61. 080249 [Supporting the California Prevention of Farm Animal Cruelty Act]
Supervisor Ammiano
Resolution supporting the California Prevention of Farm Animal Cruelty Act.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

62. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 5, 2008 through February 15, 2008 for reference by President to the appropriate committee on February 26, 2008.

- 080178 [Settlement of Lawsuit - Lydia Jones]

Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for \$65,000.00; the lawsuit was filed on October 23 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)

2/7/2008, RECEIVED AND ASSIGNED to Rules Committee.

080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for \$100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)

2/7/2008, RECEIVED AND ASSIGNED to Rules Committee.

080180 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for \$235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)

2/7/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 5, 2008 through February 15, 2008 for reference by President to the appropriate committee on February 26, 2008.

080181 [Gift - Private, Department of Public Health - \$104,538]

Resolution authorizing the Department of Public Health to retroactively accept a gift from the San Francisco General Hospital Foundation with a monetary value of \$104,538 to back fill-staff attending training designed to decrease the risk of cardiovascular events (heart attacks and strokes) for the period of January 1, 2008 though December 31, 2010. (Public Health Department)

2/6/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080222 [Gift - Private, Public Health Department - Data Center and Electronic Medication Administration Record System]

Resolution authorizing the Public Health Department to accept a gift of a Data Center and an Electronic Medication Administration Record System for the San Francisco General Hospital (SFGH) from the San Francisco Hospital Foundation (SFGH Foundation). (Public Health Department)

2/6/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080223 [Street Encroachments on Ocean Avenue at Granada Avenue]

Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Public Works Department)

2/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080224 [Gift of Equipment to Fire Department]

Resolution authorizing the San Francisco Fire Department to accept a gift of a fifteen Porto2Vent Continuous Positive Air Pressure Devices and Backpacks valued at \$19,050 from Emergent Technologies for use by Fire Department employees who provide ambulance services in the City. (Fire Department)

2/11/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080262 [Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]

Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2007-2008. (Public Health Department)

2/14/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee. Department requests that the item be referred to Budget and Finance Committee.

080263 [Lease of Real Property at 1740 Cesar Chavez Street]

Resolution authorizing a new lease of approximately 7,680 square feet at 1740 Cesar Chavez Street for the Department of Human Resources (DHR) for a term of five years. (Real Estate Department)

2/15/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

080268 [Petitions and Communications, Part 1]

Petitions and Communications received from February 5, 2008 through February 15, 2008 for reference by the President to February 26, 2008.

Part 1

From Clerk of the Board, submitting a copy of the Mayor's appointments to various Boards and Commissions to the Board of Supervisors. Received 2 Letters. (1)

From Office of the Sheriff, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (2)

From War Memorial and Performing Arts Center, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (3)

From Ethics Commission, submitting Proposed Regulations to Implement Section 1.113 of the Campaign Finance Reform Ordinance. Copies: Each Supervisor (4)

From Small Business Commission, submitting a copy of Resolution No. 001-08-SBC, urging the Mayor and the Board of Supervisors to authorize a budget expenditure to evaluate different Business Tax options. Copies: Each Supervisor (5)

From Ethics Commission, submitting Annual Report July 1, 2006 – June 30, 2007. (6)

From Department of Elections, submitting a copy of Governor's Special Election Proclamation and advising the special election for U.S. Congressional District 12 will be on June 3, 2008 – primary election will be on April 8, 2008. Copies: Each Supervisor (7)

From Office of the Sheriff, submitting response regarding services provided to mentally ill prisoners in the San Francisco jails (Reference No. 200808108-009). (8)

From Office of the Controller, submitting Biannual Overtime Report. Copies: Each Supervisor (9)

From Ethics Commission, submitting Proposed Amendments Regarding Controller's Whistleblower Program. File No. 080019, Copies: Rules Committee Members. (10)

From Ethics Commission, regarding Proposed Regulations to Implement Section 1.113 of Campaign Finance Reform Ordinance. Copies: Each Supervisor (11)

From Human Services Agency, submitting Request for Release of Funding Reserved in the FY07-08 Budget. (12)

From Municipal Transportation Agency, submitting response regarding repainting crosswalk at O'Farrell and Steiner (Reference No. 20070619-012). (13)

From Grants for the Arts/San Francisco Hotel Tax Fund, submitting Grants for the Arts 2007 Annual Report – 2007 Voluntary Arts Contribution Fund Report. (14)

From Public Utilities Commission Citizens Advisory Committee, submitting resolutions concerning the PUC's environmental justice obligations under the San Francisco Charter, and the Sewer System Master Plan that is currently under development. Copies: Each Supervisor (15)

From Clerk of the Board, advising the Board of the Amendments to CFRO Regulations Approved by the Ethics Commission. (16)

From Department of Elections, regarding Possible Special Election U.S. Congressional District 12 on April 8, 2008. Copies: Each Supervisor (17)

From Office of the City Attorney, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (18)

From Employees' Retirement System, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (19)

From Planning Department, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (20)

From Office of Historic Preservation, regarding Colombo Building Listing on the National Register of Historic Places. Copies: Each Supervisor (21)

From Juvenile Probation Department, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (22)

From Office of Assessor-Recorder, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (23)

From SF Chamber of Commerce, submitting opposition to proposed Charter Amendment to amend Section 4.112 to require confirmation by the Board of Supervisors of the Mayor's appointments to the PUC. File No. 071667. Copies: Each Supervisor (24)

From Fish and Game Commission, submitting copy of the notice of proposed emergency regulatory action relating to incidental take on Longfin Smelt. (25)

From Capitol Corridor Joint Powers Authority, submitting draft Intercity Passenger Rail Service Business Plan Update FY 2008-09 – FY 2009-10. (26)

From Department of Aging and Adult Services, submitting Community Living Fund: Program for Case Management, and Purchase of Resources and Services – 6 month Report, July through December 2007. (27)

From Municipal Transportation Agency, submitting Overtime Justification Report – SFMTA-DPT. (28)

From Office of the Controller, submitting FY 2007-08 Six-Month Budget Status Report. (29)

From Department of Human Resources, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (30)

From concerned citizens, submitting opposition to Dr. Katz's proposal to eliminate Dr. Melissa Bloom's Clinic Director position at the Center for Special Problems located at 1700 Jackson St. Received approximately 229 Letters. (31)

From Board of Appeal, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (32)

From Department of Public Works, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (33)

From San Francisco Arts Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (34)

From Department of Telecommunications and Information Services, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (35)

From Office of the Treasurer and Tax Collector, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (36)

From Police Department, submitting response to homeless issues in the Outer Sunset (Reference No. 20071204007). (37)

From Fire Department, submitting a copy of Chapter 12B Waiver Request to rent rooms at various Holiday Inns for the administration of the H-40 Battalion Chief examination. (38)

From Municipal Transportation Agency Board of Directors, submitting a copy of article entitled "Op Ed" written by Chairman McCray in support of the funding of transportation-related positions in the Mayor's office. Copies: Each Supervisor (39)

From Office of the Treasurer and Tax Collector, submitting Review Report of the Statement of Cash and Investments as of March 31, 2007. (40)

From Department of Public Health, submitting Quarterly AIDS Surveillance Report. (41)

From Municipal Transportation Agency, submitting response regarding Right Turn Only lane at Lake Merced and State Drive (Reference No. 20070925-002). (42)

From Fire Department, submitting response regarding the Cosco Busan oil spill (Reference No. 20071120-023). (43)

From Office of the Controller, submitting FY 2007-08 Six-Month Budget Status Report. Copies: Each Supervisor (44)

From Office of the District Attorney, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (45)

From Arts Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (46)

From Children and Families Commission, submitting 2008-2009 Efficiency Plan. Copies: Each Supervisor (47)

From Police Department, submitting support for resolution #596-07, which seeks an opinion from the State Attorney General on the implementation of Proposition 83. File No. 071450, Copies: Each Supervisor. (48)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of January 2008. (49)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of November 2007. (50)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of December 2007. (51)

From Office of the Controller, submitting response regarding Public Employees Post-Employment Benefits Commission Report. (52)

From Department of Public Health, submitting copy of the no cost modification of the contract between Siemens Medical Solutions USA and the Department of Public Health. File No. 071164 (53)

From Visitacion Valley Citizens Advisory Committee, submitting a copy of letter to Supervisor Maxwell in support of Caltrain's 2025 Plan. (54)

080269 [Petitions and Communications, Part 2]

Petitions and Communications received from February 5, 2008 through February 15, 2008 for reference by the President to February 26, 2008.

From Ethics Commission, submitting a copy of Thank You letter to Melinda Haag, Esq. and colleagues for providing outside counsel to the Ethics Commission regarding Edmund Jew. Copies: Each Supervisor (55)

From Christian Holmer, regarding various Immediate Disclosure Requests and Appeal to City Attorney Supervisor of Records. Received 6 Letters (56)

From Ross Newman, submitting suggestions regarding the Condo Conversion process in the City. (57)

From Jaffer Qaniar, seeking support for legislation to stop people from leaving flyers on cars and front doors in the City. Copies: Each Supervisor (58)

From concerned citizens, submitting support for Medical Marijuana Dispensaries in the City. (59)

From Edith McMillan, regarding MUNI contracts. Copies: Each Supervisor (60)

From Branden Barber, concerning victims of stolen vehicles in the City being charged tow and storage fees. Copies: Each Supervisor (61)

From Isabel Wade, submitting suggestion that the City charge a tax on SUV's in the downtown area like was recently passed in London. Copies: Each Supervisor (62)

From Jay Mosesson, submitting support to keep the Occupational Health Service at SFGH. Copies: Each Supervisor (63)

From SF Chamber of Commerce, submitting support for the proposed Charter Amendment converting local elections to even-numbered years. (64)

From Denise D'Anne, submitting support for Menu Labeling in the City. (65)

From Office of the Controller, regarding Charter Amendment for retiree health and benefits (third draft). File No. 071663, Copies: Each Supervisor (66)

From concerned citizens, expressing concerns regarding Apple Moth spraying to start in the City this summer. Copies: Each Supervisor, Receiver 5 Letters (67)

From Eileen Morentz, expressing concerns regarding affordable parking for employees at the Poison Control Center in the City. Copy: Supervisor Ammiano (68)

From Nancy Esajian, submitting support for the City to provide parking for Teachers. (69)

From Dr. Ahimsa Sumchai, regarding request for formal response to SOTF Determinations. (70)

From Dr. Ahimsa Sumchai, regarding federal action to address environmental justice in minority population and low-income populations. (71)

From Dr. Ahimsa Sumchai, submitting copy of editorial regarding alleged racism against Blacks in San Francisco. (72)

From Francisco DaCosta, submitting link to article regarding Lennar. Received 4 Letters (73)

- From Francisco DaCosta, submitting link to article regarding AIMCO. Received 3 Letters (74)
- From Francisco DaCosta, submitting link to article regarding Affordable Housing in and around Candlestick Point. (75)
- From Francisco DaCosta, submitting link to article regarding Caligula. (76)
- From Francisco DaCosta, submitting link to article regarding Susan Leal and the SFPUC. (77)
- From Francisco DaCosta, submitting link to article regarding Bayview Hunters Point Area. (78)
- From Francisco DaCosta, submitting link to article regarding Mayor Newsom's visit to Sunnydale. (79)
- From Francisco DaCosta, submitting link to article regarding Espanola Jackson's 75th Birthday. (80)
- From Brandt-Hawley Law Group, regarding Appeal of Categorical Exemption for 2721 Pierce Street Case No. 2006.1415D. File No. 071265, Copies: Each Supervisor. (81)
- From concerned citizens, submitting opposition for proposed Taxi cab gate increase. File No. 071371, Copies: Each Supervisor. Received 3 Letters (82)
- From Police Department, submitting support for resolution urging the Attorney General to clarify how Penal Code 3003 and the transient provision of Penal Code 290 apply to Jessica's Law. File No. 071450, Copies Each Supervisor. (83)
- From concerned citizens, submitting opposition to the proposed closures at St. Luke's Hospital. File No. 071556, Copies: City Operations and Neighborhood Services Committee Members. Received 2 Letters (84)
- From concerned citizens, submitting opposition to proposed ordinance prohibiting formula retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict. File No. 071561 (85)
- From concerned citizens, submitting support for proposed ordinance prohibiting formula retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict. File No. 071561, Received 6 Letters. (86)
- From concerned citizens, submitting opposition to proposed ordinance which would require Menu Labeling at Chain Restaurants. File No. 071661, Received 8 Letters (87)
- From Bay Area Water Supply & Conservation Agency, opposing proposed Charter Amendment which would require Board confirmation of appointments to the Public Utilities Commission. File No. 071667, Copies: Each Supervisor. (88)
- From Law Offices of Stephen Williams, regarding Supplemental Letter Brief- 652 Duncan St. - Appeal of Categorical Exemption. File No. 080010 (89)
- From Sue Hestor, regarding report on Academy of Art University relocation actions - SF Flower Market. File No. 080093 (90)
- From concerned citizens, submitting support for the Mayor's reappointment of Ryan Brooks to the Public Utilities Commission. File No. 080115, Received 6 Letters (91)
- From Engineering & Utility Contractors Association, submitting support for the Mayor's appointments of Ryan Brooks and Richard Sklar to the Public Utilities Commission. File No. 080115, Copies: Each Supervisor. (92)

From Bruce Bruggmann, submitting opposition to the Mayor's reappointment of Ryan Brooks and Richard Sklar to the Public Utilities Commission. File No. 080115 (93)

From Bay Area Water Supply & Conservation Agency, submitting support for the Mayor's reappointment of Richard Sklar to the Public Utilities Commission. File No. 080119, Copies: Each Supervisor (94)

From Kimo Crossman, submitting opposition to Mayor's appointment of Richard Sklar to Public Utilities Commission. File No. 080119 (95)

From Stephen Williams, regarding 3569-3571 Sacramento Street Appeal of Conditional Use. File No. 080127 (96)

From concerned citizens, expressing concerns regarding Conditional Use Appeal for 3571 Sacramento Street. File No. 080127, Copies: Each Supervisor. Received 3 Letters (97)

From concerned citizens, submitting opposition to the ordinance authorizing the Chambers Settlement. File No. 080135, Received 11 Letters (98)

From Joe Mirabile, regarding emissions standards for the City's taxi fleet. File No. 080138, Copies: Each Supervisor (99)

From Ivan Pratt, expressing various concerns regarding Tom Waddell Clinic. (100)

From concerned citizens, expressing concerns regarding proposed cutbacks for Recreation Center Staff. File No. 080188, Copies: Each Supervisor (101)

From Harvey Milk LGBT Democratic Club, submitting support for Medical Cannabis Resolution. File No. 080192 (102)

From Mary Miles, regarding proposed resolution requesting traffic calming and pedestrian and bicyclist safety improvements on Masonic Ave. from Geary Ave. to Haight St. File No. 080200, Copies: Each Supervisor. (103)

From Thomas Flood, expressing concerns regarding cigarette smoking in apartment building in the City. Copy: Supervisor Peskin (104)

From Municipal Transportation Agency, submitting response regarding left turn signal improvement on Sloat Blvd. at 19th Ave. (Reference No. 20071023-019). (105)

From Department of Public Health, submitting a copy of Chapter 12B Waiver Request for California Pacific Medical Center, Mills Peninsula, Marin General, and Fremont Hospital to provide as needed hospitalized psychiatric services for San Francisco's uninsured indigent mentally ill clients diverted from SFGH for immediate hospitalization. (106)

From California Water Boards, submitting Work Notice for Trans Bay Cable SF Converter Station Site at 525 23rd Street. (107)

From Chinese Hospital, expressing concerns regarding a recent Chronicle article regarding hospitals not meeting their charity care obligation. (108)

From Ben Lin, submitting support for the EarthLink Wi-Fi Agreement. (109)

From Employees Retirement System, submitting cost and effect report for proposed Charter Amendment – New hire qualifications for retiree health care, etc. Copies: Each Supervisor (110)

From Mark Murphy, expressing concerns regarding a bill for 4 years of Escape Property Taxes he received. Copies: Each Supervisor (111)

From Roland Garret, regarding San Francisco General Hospital – Rebuild versus Retrofit. (112)

From Kimo Crossman, regarding text messages about Oil Spill Emergency. (113)

From US Army Corps of Engineers, submitting San Francisco District Public Notice regarding Todd Village. (114)

From concerned citizens, submitting support to release money from “Rainy Day” fund for schools in the City. File No. 080142, Copies: Each Supervisor. Received 2 Letters (115)

From SF Arts Commission, submitting copy of response to constituent regarding alleged Disability Access Violation. (116)

From Clerk of the Board, submitting Board of Supervisors/Clerk of the Board's 2008-2009 Efficiency Plan. (117)

APPOINTMENTS BY THE MAYOR

Small Business Commission
Darlene Chiu

Commission on the Status of Women
Nicky Calma

Human Rights Commission
Khaldoun Baghdadi

Municipal Transportation Board of Directors
Bruce Oka
Malcolm Heinicke

Planning Commission
Ryan Brooks

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 4, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Ammiano, Chu, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Sandoval

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Daly

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Duffy, Daly, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano, Duffy

1. 071671 [De-appropriating \$50,000 Golden Gate Park Stables General Fund project and Re-appropriating \$50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008]
Supervisor McGoldrick
Ordinance de-appropriating \$50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating \$50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **080098** **[Appropriating \$55,000,000 of Commercial Paper revenue for Terminal Improvements T2 Boarding Area D renovations at the San Francisco Airport for Fiscal Year 2007-2008]**
Mayor
Ordinance appropriating \$55,000,000 of commercial paper revenues for Renovations to the terminal two boarding area D at the San Francisco Airport for Fiscal Year 2007-2008.
(Mayor)
(Fiscal Impact.)

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. **080189** **[Landmark Designation of 451 Jersey Street (Carnegie Noe Valley/Sally Brunn Branch Library)]**
Supervisor Duffy
Ordinance designating 451 Jersey Street, the Carnegie Noe Valley/Sally Brunn Branch Library, (Assessor's Block Number 6539, Lot Number 034), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Ammiano, Elsbernd

4. 071299 [Updating a statutory reference in provision regarding settlement of minors' claims]
Supervisor Peskin
Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

2/26/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 080136 [Approving Settlement with the California Independent System Operator and adopting the First Amended and Restated Operating Agreement]
Ordinance authorizing settlement of proceedings initiated by the California Independent System Operator before the Federal Energy Regulatory Commission in Docket No. ER06-227-000 to establish operational, scheduling and settlement requirements for certain City electrical transmission transactions and adopting the First Amended and Restated Operating Agreement.
(City Attorney)

2/26/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

6. 071536 [Access to and retention of community safety camera recordings]
Supervisors Sandoval, Mirkarimi
- Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys, investigators and the District Attorney to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 30 days but not more than 30 days.
- 1/8/2008, CONTINUED. Continued to January 15, 2008
1/15/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 12, 2008
2/12/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
2/12/2008, CONTINUED AS AMENDED. Continued to February 26, 2008 with the Board Sitting as a Committee of the Whole.
2/26/2008, PASSED ON FIRST READING.
2/26/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

From the Board

(Only one of the following two motions should be approved.)

7. 080257 [Approving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]
Motion approving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.
- 2/26/2008, CONTINUED. Continued to March 4, 2008
Question: Shall this Motion be APPROVED?

8. 080258 [Disapproving Planning Commission's approval for Certificate of Appropriateness regarding the alterations of the Board of Supervisors' Legislative Chamber]
Motion disapproving the Planning Commission's approval of Motion No. 17529 (Case No. 2007.1332A), Certificate of Appropriateness, in order to make the President's desk and the Clerk of the Board's desk in the Board of Supervisors' Chamber accessible to persons with disabilities; Lot 001 in Assessor's Block 0787 - 1 Dr. Carlton B. Goodlett Place.

2/26/2008, CONTINUED. Continued to March 4, 2008

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present. Supervisors Ammiano, Elsbernd

9. 071679 [Solar Energy Incentive Program]
Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.
(Assessor-Recorder)

2/26/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/26/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano

10. 080191 [Mortgage Revenue Bonds]

Supervisor Mirkarimi

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$12,000,000 for 850 Broderick Street (Zygmunt Arendt House); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

11. 080099 [Appropriating \$34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008]

Mayor

Ordinance appropriating \$31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond – 4th Series, \$3,679,362 in bond interest earned and \$151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on \$31,065,000 of the bond sale proceeds pending sale of the bond.

Question: Shall this Ordinance be PASSED ON FIRST READING?

**12. 080159 [Issuance and Sale of Tax-Exempt Bonds - Lycée Français Lapérouse]
Supervisor Chu**

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$2,000,000 to finance the acquisition, construction, improvement and/or equipping of facilities owned by Lycée Français Lapérouse or an affiliate and certain other matters relating thereto.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Peskin, Ammiano

13. 080193 [Appropriating \$2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]
Supervisor Maxwell
Ordinance appropriating \$2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Elsbernd, Alioto-Pier, Daly

14. 080234 [Directing the Budget Analyst to conduct a managerial audit of the First Offender Prostitution Program]
Supervisor McGoldrick
Motion directing the Budget Analyst to conduct a managerial audit on the First Offender Prostitution Program (FOPP), a diversion program of Standing Against Global Exploitation (SAGE).
(Supervisor Elsbernd dissented in committee.)

Question: Shall this Motion be APPROVED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

15. 071156 [Planning Code Amendments to implement the Van Ness and Market Downtown Residential Special Use District]
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by adding Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.
8/13/07 - Economic Impact.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 071157 [Planning Code Amendments to implement the Market and Octavia Area Plan]**Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a \$10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 249.35 to establish the Duboce Triangle Flexible Density Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight

priority policies of Planning Code Section 101.1.
(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 080255 [Planning Code Amendments to implement the Market and Octavia Area Plan]**Supervisor McGoldrick**

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a \$10 per square foot fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD); Section 249.34 Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$4 per square foot for impacts from new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncodified Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan]
Supervisor Mirkarini
Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 071522 [Residential Rent Ordinance: Sellers and Purchasers to Give Tenants Written Disclosure of Rights Before and After Sale of the Rental Property]
Supervisors Daly, Sandoval, McGoldrick
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding subsection (j) to Section 37.9, to provide that tenants in units subject to Section 37.9 be given written disclosure of specified rights by sellers and purchasers before and after the sale of such property.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd, Peskin

20. 080155 [Extending the term of service for the Power Plant Task Force]
Supervisor Maxwell
Resolution to extend the expiration date of the Power Plant Task Force from June 1, 2007 to December 31, 2009.

Question: Shall this Resolution be ADOPTED?

21. 080239 [Appointment, Planning Commission - Christina Olague]
Supervisor Peskin
Motion approving the Board of Supervisors President Peskin's nomination of Christina Olague to the Planning Commission term ending July 1, 2012.
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Companion measure to File 080240.) Transmittal date - February 12, 2008.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

22. 080211 [Public Hearing - Appeal, Final Environmental Impact Report for 55 Laguna Street Mixed Use Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 17, 2008, certification of a Final Environmental Impact Report identified as Case No. 2004.0773E, through its Motion No. M-17532, for the proposed 55 Laguna Street Mixed Use Project, Lots 001, 002, and 003 in Assessor's Block 0870 and Lots 001, and 01A in Assessor's Block 0857. (Appellant: Cynthia Servetnick, Director, Save the Laguna Street Campus.)
(Filed February 6, 2008; companion measure to Files 080212, 080213, 080214; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 080212 [Affirming certification of 55 Laguna Street Mixed Use Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.

Question: Shall this Motion be APPROVED?

24. 080213 [Disapproving certification of 55 Laguna Street Mixed Use Project FEIR]
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for 55 Laguna Street Mixed Use Project.
- Question: Shall this Motion be APPROVED?
25. 080214 [Preparation of findings to disapprove certification of 55 Laguna Street Mixed Use Project FEIR]
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 55 Laguna Street Mixed Use Project.
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, March 3, 2008, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 4, 2008.

26. 080157 [Zoning - Educational services and institutional uses, Mixed Use Districts and NCDs]
Supervisor Peskin
Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
27. 080156 [Zoning - Prohibition on specified educational services in Western SoMa]
Supervisor Peskin
Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Economic Impact)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
28. 080280 [Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa]
Supervisor Peskin
Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 080192 [Lease Disposition and Development Agreement and Lease for Property Located at 850 Broderick Street]
Supervisor Mirkarimi
Resolution approving and authorizing the Mayor's Office of Housing to enter into a lease disposition and development agreement for a long term ground lease with Arendt House, L.P., a California Limited Partnership, for the development and operation of affordable housing and associated uses on certain real property located at 850 Broderick Street and authorizing the Director of Property to enter into the lease.

Question: Shall this Resolution be ADOPTED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 32 through 41

32. 080246 [Lifting time limits in rental subsidy program for low income families]
Supervisors Daly, Ammiano, Mirkarimi
Resolution calling on the Human Services Agency (HSA) to remove the arbitrary time limit in its local housing subsidy for homeless families and to make the timeline for this subsidy need-based.

2/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/26/2008, CONTINUED. Continued to March 4, 2008

Question: Shall this Resolution be ADOPTED?

33. 080285 [Noe Valley/Sally Brunn Branch Library re-opening]
Supervisor Duffy
Resolution recognizing the grand re-opening of the Noe Valley/Sally Brunn Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 080286 [Support of bill designating safety enhancement-double fine zones]
Supervisors Chu, Elsbernd, McGoldrick, Mirkarimi
Resolution supporting SB 1419, a bill to designate safety enhancement-double fine zones along State Highway Route 1 from Junipero Serra Boulevard to Lake Street and urging the California Legislature to pass the bill.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 080287 [Adopting the U.S. Cool Counties Climate Stabilization Declaration]
Supervisor Daly
Resolution adopting the U.S. Cool Counties Climate Stabilization Declaration

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 080288 [Commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council]
Supervisor Sandoval
Resolution commending the American Academy of Orthopedic Surgeons, the Friends of Balboa Park Playground, KaBOOM! and the Neighborhood Parks Council for their efforts to replace the Balboa Park Playground.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 080289 [Mountain Lake Park - Toxic Issues]
Supervisor Alioto-Pier
Resolution urging the Presidio Trust and Caltrans to immediately resolve the toxicity issue at Mountain Lake through further testing, clean up and diversion measures; and urging the Recreation and Park Department to immediately post signs warning residents that Mountain Lake has been designated a toxic clean up site.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

38. 080292 [Grant funds to support HIV vaccine trials]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$78,943, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Scholars Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 080293 [Accept-Expend Private Foundation Grant - Department of the District Attorney]
Supervisor Alioto-Pier
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of \$64,500 from the Kaiser Permanente Northern California Community Grants Program for a program entitled "Back on Track" for fiscal year 2007/2008.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 080291 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst]
Supervisor Mirkarimi
Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include a survey of City Departments and analysis of the number and cost of positions performing public relations – public information including the justification for such positions.

2/26/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

41. 080296 [Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2008 Election.

2/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from February 19 through February 25, 2008, for reference by President to appropriate committee on March 4, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from February 19 through February 25, 2008, for reference by President to appropriate committee on March 4, 2008.

None.

080301 [Petitions and Communications]

Petitions and Communications received from February 19, 2008 through February 25, 2008 for reference by the President to March 4, 2008.

From Beverly Cannon, withdrawing permit for improvements on property located at 2721 Pierce Street. File 071265, Copy: Each Supervisor (1)

From Office of the Controller, submitting notice that as of 5:00 p.m., February 22, 2008, the Controller's Office has not received fiscal year budget submissions from the following departments: Academy of Sciences, Economic and Workforce Development, Treasurer/Tax Collector, Trial Courts. Copy: Each Supervisor (2)

From Department of Elections, regarding the Special Primary Election on April 8, 2008 for Congressional District 12. Copy: Each Supervisor (3)

From Francisco Da Costa, commenting on Lennar Corporation. 4 letters (4)

From Department of Telecommunications and Information Services, submitting request for waiver of Chapter 12B of the Administrative Code for GlobalScape Content Management to perform software maintenance. (5)

From Office of the Controller, submitting comment that the motion regulating the permitted locations of new liquor stores and their conditions of operation would be a minimal impact on the cost of government. File 080062, Copy: Rules Committee members (6)

From Capital Planning Committee, submitting recommendations for financing of and supplemental appropriation request for capital projects. File 0715520 (7)

From Francisco Da Costa, submitting support for an investigation of the SF Department of Elections linked to the process of validating the petitions and the signatures regarding the affordable housing requirement for the Candlestick Point and Hunters Point Shipyard Mix-Use Development Project. 2 letters (8)

From Francisco Da Costa, commenting on the lack of good leaders in the Bayview/Hunters Point and understanding of planning issues. (9)

From Kimo Crossman, submitting letters entitled Is SF usual suspects.com an "Authoritative Source" for SF Political news? 3 letters (10)

From Dougcoms, commenting on letters entitled Is SF usual suspects.com an "Authoritative Source" for SF Political news? (11)

From Alex Clemens, submitting copy of letter sent to Kimo Crossman regarding Is SF usual suspects.com an "Authoritative Source" for SF Political news? (12)

From Christian Holmer, commenting on various issues concerning city government. 4 letters (13)

From Department of Elections, submitting copy of letter sent to the proponent of the Initiative Ordinance concerning Mixed-Use Development Project for Candlestick Point and Hunters Point Shipyard. (14)

From Michael Nulty, regarding HUD low income maintenance prodigal problem. (15)

From concerned citizens, submitting opposition to the elimination of the Clinical Director position at the Center for Special Problems located at 1700 Jackson Street. Approximately 100 letters (16)

From Department of Elections, regarding the effects of Proposition C on submitting, withdrawing, and publishing ballot measures. Copy: Each Supervisor (17)

From Department of Elections, regarding review of the initiative petition submitted regarding "Affordable Housing Requirement for the Candlestick Point and Hunters Point Shipyard Mixed-Used Development Project." (18)

From Public Utilities Revenue Bond Oversight Committee, submitting the 2007 annual report of the Public Utilities Revenue Bond Oversight Committee. (19)

From Peter Witt, submitting the "SF Limousines Operating Illegally" report for January 2007 through January 9, 2008. (20)

From Office of the Treasurer, submitting portfolio statistics from July 1, 2007 to January 31, 2008. (21)

From Susan Vaughan, submitting support for the reappointment of Christina Olague to the Planning Commission. File 080240 (22)

From State of California Fish and Game Commission, submitting notice of proposed changes in regulations relative to Klamath River Sport Fishing. (23)

From State of California Fish and Game Commission, submitting notice of proposed changes regulations relative to 2008-2009 mammal hunting. (24)

From Ivan E. Pratt, commenting on the HIV/AIDS Foundation. (25)

From Howard Chabner, commenting on the proposed Chambers settlement agreement. File 080125, Copy: Each Supervisor, 2 letters (26)

From Dr. Ahimsa Porter Sumchai, regarding the San Francisco General Hospital Seismic Hospital Replacement Project Environmental Impact Report. (27)

From Dr. Ahimsa Porter Sumchai, regarding several issues and concerns. 3 letters (28)

From Ann Garrison, commenting on being directed to the wrong polling place in her district. (29)

From Office of the Mayor, submitting correction regarding status on violence prevention and the ShotSpotters pilot project. (Reference 20080115-011) (30)

From Idriss Sterley Foundation, urging the Board to allow the SF voters decide whether or not to allow the Blue Angels air show. Copy: Supervisor Sandoval (31)

From Jerry Landis, commenting on the proposal to make 10 percent of the Treasure Island units affordable. (32)

From Martin Guttman, regarding renaming the San Francisco International Airport to "Tom Lantos San Francisco International Airport". (33)

From Peggy Setiono, submitting opposition to the elimination of the Community Behavioral Health Services Program Director position at the Center for Special Problems. 2 letters (34)

From concerned citizen, commenting on St. Luke's Hospital's medical services being cut by Sutter Health. File 071489 (35)

From Eileen Hessi, submitting support for the Mission/Bernal Formula Restricted Use District ordinance. File 071561, (36)

From Kevin Montreuil, commenting on minimum health and safety standards in the City's shelters. 2 letters (37)

From Small Business Commission, submitting a resolution urging the Mayor and the Board of Supervisors to authorize a budget expenditure to evaluate different business tax options. (38)

From Manish Champsee, regarding Mayor Office staff being paid by Municipal Transportation Agency funds. (39)

From Mr. and Mrs. George O'Connell, submitting opposition to the elimination of positions in the Health Service System. Copy: Each Supervisor (40)

From Christopher Calder, commenting on an article published regarding biofuel being worse for the environment than using oil. (41)

From Benjamin Disraeli, commenting on proposed budget cuts which will affect the California school system. (42)

From Alvin Johnson, regarding an appeal of termination filed on his behalf. (43)

From Cathie Quickert, regarding the proposed plan to close the clinic at San Francisco General Hospital. (44)

From Tim Brace, commenting on the proposed central subway project. (45)

APPOINTMENTS BY THE MAYOR

Retirement Board
Brenda Wright

Public Utilities Commission
Francis X. Crowley

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

MAR 06 2008

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San Francisco, CA 94102-4689

Tuesday, March 11, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

2nd and 4th Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the February 12, 2008 and February 26, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano

1. 080099 [Appropriating \$34,896,162 of bond sale proceeds, interest and property rental revenues for improvements and construction of San Francisco Public Library Facilities Fiscal Year 2007-2008]

Mayor

Ordinance appropriating \$31,065,000 of bond sale proceeds from the 2000 Branch Library Improvement Program Bond – 4th Series, \$3,679,362 in bond interest earned and \$151,800 in rent monies to fund the improvement and construction of the San Francisco Public Library Facilities for Fiscal year 2007-08. Place Controller's Reserve on \$31,065,000 of the bond sale proceeds pending sale of the bond.

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Daly

2. 080157 [Zoning - Educational services and institutional uses, Mixed Use Districts and NCDs]
Supervisor Peskin

Ordinance amending the Planning Code by amending Sections 102.2 to exclude specified accredited educational institutions from the definition of arts activities; amending Section 790.50 and 890.50 to clarify that certain institutions, including accredited educational institutions, in the Neighborhood Commercial Districts and Mixed Use Districts are required to comply with applicable provisions of the institutional master plans as set forth in Section 304.5; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 080156 [Zoning - Conditional Use for specified educational services in Western SoMa]
Supervisor Peskin

Ordinance amending the Planning Code by amending Section 823 to prohibit educational institutions as defined in Section 890.50(c) in the Western SoMa Planning Area Special Use District; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Economic Impact.)

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 080280 [Zoning - Repeal of the interim moratorium on institutional uses in the Western SoMa]
Supervisor Peskin

Ordinance repealing the interim zoning moratorium that prohibits the establishment of specified new institutional uses in the Western SoMa Planning Area Special Use District.

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

5. 080222 [Gift - Private, Public Health Department - Data Center and Electronic Medication
Administration Record System]

Resolution authorizing the Public Health Department to accept a gift of a Data Center and an Electronic Medication Administration Record System for the San Francisco General Hospital (SFGH) from the San Francisco Hospital Foundation (SFGH Foundation).
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

6. 080224 [Gift of Equipment to Fire Department]
Resolution authorizing the San Francisco Fire Department to accept a gift of a fifteen Porto2Vent Continuous Positive Air Pressure Devices and Backpacks valued at \$19,050 from Emergent Technologies for use by Fire Department employees who provide ambulance services in the City. (Fire Department)

Question: Shall this Resolution be ADOPTED?

7. 080227 [Grant to support SFGHMC's Quality Improvement Initiative]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health, San Francisco General Hospital Medical Center (DPH-SFGHMC) to accept and expend retroactively a two-year grant from Kaiser Permanente's Community Benefits Program in the amount of \$150,000, to fund SFGHMC's Quality Improvement Initiative; for the period of October 1, 2007 through October 1, 2009.

Question: Shall this Resolution be ADOPTED?

8. 080228 [Funds to support nutrition services]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$11,927 from FACET, BAART Programs Turk Street Clinic for a project entitled "FACET – SFDPH Nutrition Services," for the period of January 1, 2008 through December 30, 2008.

Question: Shall this Resolution be ADOPTED?

9. 080181 [Gift - Private, Department of Public Health - \$104,538]
Resolution authorizing the Department of Public Health to retroactively accept a gift from the San Francisco General Hospital Foundation with a monetary value of \$104,538 to back fill-staff attending training designed to decrease the risk of cardiovascular events (heart attacks and strokes) for the period of January 1, 2008 through December 31, 2010. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

10. 080178 [Settlement of Lawsuit - Lydia Jones]
Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for \$65,000.00; the lawsuit was filed on October 23, 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 080179 [Settlement of Lawsuit - Susan Sponseller]

Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for \$100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 080180 [Settlement of Lawsuit - Kelly Medora]

Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for \$235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Peskin, Ammiano

13. 080193 [Appropriating \$2,263,846 of General Fund Reserve for Indigent Defense Expenses in the Superior Court for Fiscal Year 2007-2008]
Supervisor Maxwell
Ordinance appropriating \$2,263,846 of General Fund Reserve to fund unanticipated increased costs of indigent defense expenses associated with People v. Bell as well as adult criminal and juvenile delinquency cases in the Superior Court of California for Fiscal Year 2007-2008.

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 071522 [Residential Rent Ordinance: Sellers and Purchasers to Give Tenants Written Disclosure of Rights Before and After Sale of the Rental Property]
Supervisors Daly, Sandoval, McGoldrick
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding subsection (j) to Section 37.9, to provide that tenants in units subject to Section 37.9 be given written disclosure of specified rights by sellers and purchasers before and after the sale of such property.

3/4/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

15. 080230 [Appropriating \$4,270,320 for Capital Improvements at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008]
Supervisor Chu
Ordinance appropriating \$4,270,320 of General Fund Budget Savings Incentive Reserve Funding for capital improvements at San Francisco General Hospital associated with central service building seismic upgrades and electrical power distribution in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 080196 [Appropriating \$246,000 of General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital]
Supervisors Mirkarimi, Ammiano, Daly
Ordinance appropriating \$246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.
(Supervisors Elsbernd and Chu dissented in committee)
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

17. 080039 [Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard]
Supervisor Ammiano
Ordinance designating the Blue Elderberry (*Sambucus mexicana*) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 080040 [Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street]
Supervisor Ammiano
Ordinance designating the Moreton Bay Fig (*Ficus macrophylla*) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue]
Supervisor Ammiano
Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 080042 [Landmark Tree Designation of Flowering Ash tree no. 2 at 500 Cortland Avenue]
Supervisor Ammiano
Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 080043 [Endorsing the recommendations of the Healthcare Action Team regarding the discharge of homeless patients in San Francisco]
Supervisors Ammiano, Daly, Mirkarimi
Resolution endorsing the Healthcare Action Team's recommendations for procedures on homeless patients hospital discharge, including more respite beds, a streamlined discharge process, distribution of information sheets, utilization of transitional care programs, expansion of the Ombudsman office and no discharges on Fridays.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Daly

22. 071528 [Administrative Code - Amendments Creating Large Tourist Hotel Conversion Ordinance]
Supervisors Peskin, Ammiano, Daly, Maxwell, Mirkarimi, Sandoval
Ordinance amending the Administrative Code to add Section 41F to limit conversion of Large Tourist Hotels into condominium projects, allowing the Planning Commission to approve conversion of up to 500 units before March 1, 2010, establishing conditions precedent and procedures for an annual lottery system for conversions after March 1, 2010, requiring applicants for conversions to provide the Planning Department with certain information regarding the conversion, creating a 120-month sunset period, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Elsbernd, Alioto-Pier

23. 071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program]
Supervisor Alioto-Pier
Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City.
(Economic Impact)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 071660 [Comprehensive Package to Support Film Production in San Francisco]
Supervisor Alioto-Pier
Resolution directing City departments, and urging other public entities, to cooperate with the Film Commission to streamline film permitting procedures, to adopt a single Use Agreement and a single insurance policy for film productions, and to create consistent fee structures.

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd

25. 071661 [Menu Labeling At Chain Restaurants]
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell
Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to disclose, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; (2) revise existing requirements for providing nutritional information on alternative disclosure media; and (3) authorize the Department of Public Health to impose a fee on chain restaurants for implementation of the ordinance.

1/8/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 071626 [Repealing Board Rule 3.9.1 - Mayor's appearance before the Board of Supervisors]
Supervisor Alioto-Pier
Motion amending the Rules of Order of the Board of Supervisors to repeal Rule 3.9.1 regarding Mayor's appearance before the Board.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

27. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

- 28. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008

Question: Shall this Motion be APPROVED?

- 29. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008

Question: Shall this Motion be APPROVED?

- 30. 070913 [Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

The following item will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, March 10, 2008, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 11, 2008

31. 080236 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco Transportation Code to conform to the requirements of Proposition A]
Supervisor Peskin

Ordinance repealing the San Francisco Traffic Code and enacting Division I of a new San Francisco Transportation Code, setting forth requirements for the regulation of transit, traffic, streets and parking under the jurisdiction of the Board of Supervisors, including the regulation of news gathering vehicles, enforcement authority, parking control, rules for driving, bicycle registration, towing and impoundment, abatement of nuisance vehicles, procedures on the temporary use or occupancy of public streets and violations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

CLOSED SESSION

34. 080300 [Closed Session - Existing Litigation - Chambers v. City and County of San Francisco]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding existing litigation, Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuit.
(City Attorney)

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

35. 080135 [Settlement of Lawsuit - Mark Chambers]
Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

2/26/2008, CONTINUED. Continued to March 11, 2008 to be heard in Closed Session.

Question: Shall this Ordinance be FINALLY PASSED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 36 through 42

36. 080327 [Funds to support HIV research activities]
Supervisor Duffy
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$7,167 from University of California, San Francisco, Center for AIDS Research (CFAR); for the period of September 1, 2007 through August 31, 2008.

3/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 080328 [Urging the Department of Parking and Traffic to install STOP signs at the intersection of 24th Street and Hoffman Avenue]
Supervisor Duffy
Resolution urging the Department of Parking and Traffic to install STOP signs at the intersection of 24th Street and Hoffman Avenue.

3/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 080329 [Declaration of Election Results - February 5, 2008]
Supervisor Peskin
Resolution declaring the results of the February 5, 2008 Consolidated Presidential Primary Election.

3/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 080330 [Approval of a 30 day extension for Planning Commission review - Types of Entertainment]
Supervisor Peskin
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending Sections 102.17, 790.38, and 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1, and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

3/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

**40. 080331 [Approval of a 30 day extension for Planning Commission review - 690 Market Street]
Supervisor Peskin**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of 690 Market Street, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

3/4/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 080290 [Final Map - One Ecker Street]

Motion approving Final Map 4614, a 53 Unit Mixed-Use Condominium Project, located at One Ecker Street being a subdivision of Lot 022 in Assessors Block No. 3708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,409; District 6.)

2/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 080297 [Final Map - 1355 Valencia Street]

Motion approving Final Map 2015, a 7 Unit Mixed-Use Condominium Project, located at 1355 Valencia Street being a subdivision of Lot 022 in Assessors Block No. 6515 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,361; District 9.)

2/28/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

There were none.

PROPOSED RESOLUTION

Proposed resolution received from February 26, 2008 to March 3, 2008 for reference by President to the appropriate committee on March 11, 2008.

080299 [Airport Concession Lease]

Resolution approving the Boarding Area "E" Candy Kiosk Lease between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

2/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080335 [Petitions and Communications]

Petitions and Communications received from February 26, 2008 through March 3, 2008 for reference by the President to March 11, 2008.

From Office of the Mayor, submitting notice designating Supervisor Sean Elsbernd as Acting Mayor March 2, 2008 until midnight March 3, 2008 or longer if necessary. Copy: Each Supervisor; City Attorney (1)

From Office of the Mayor, submitting notice designating Supervisor Carmen Chu as Acting Mayor March 3, 2008 or longer if necessary. Copy: Each Supervisor; City Attorney (2)

From Kathleen McKenna, commenting on the Health Service System. (3)

From concerned citizens, commenting on the taxicab gate increase. File 071371; Copy: Each Supervisor, 3 letters (4)

From concerned citizens, commenting on the Mayor's Office of Housing Condo Conversion program. 5 letters (5)

From San Francisco Unified School District, regarding a proposed ballot measure to create an additional property tax. (6)

From San Francisco City Clinic, submitting monthly STD report for the month of January 2008. (7)

From Municipal Transportation Agency, regarding status on the feasibility of improving the visibility of the westbound handicap ramp at 2nd Avenue and Irving Street. (Reference 20070612-001) Copy: Supervisor Mirkarimi (8)

From concerned citizens, submitting opposition to the proposed changes to make the Legislative Chamber wheelchair accessible. File 080256, Copy: Each Supervisor, 4 letters (9)

From Coalition for San Francisco Neighborhoods, regarding the Market and Octavia Area Plan. File 071157, Copy: Each Supervisor, 2 letters (10)

From San Francisco Building and Construction Trades Council, commenting on the proposed Treasure Island affordable housing resolution. File 080091, Copy: Each Supervisor (11)

From Clerk of the Board, regarding proposed regulations to implement section 1.113 of the Campaign Finance Reform Ordinance (CFRO). Copy: Each Supervisor (12)

From Health Commission, regarding the dust control ordinance and the Health Care Initiative contract. File 071009 (13)

From concerned citizens, submitting notice of pre-application meeting. 2 letters (14)

From San Francisco Green Party, submitting opposition to the Mayor's solar loan and grant programs. Files 071677, 071678 (15)

From Neil Signo, commenting on the Apple Moth in San Francisco. Copy: Each Supervisor (16)

From Municipal Transportation Agency, submitting new version of Contract Modification No. 4 for the six-month extension for SFMTA Security Services. File 080190 (17)

From Conrad House Supportive Housing Program, submitting notification of nomination of Benjamin Graff for a seat on the Shelter Monitoring Committee. (18)

From Society of Professional Journalists, submitting notification of nomination of Erica L. Craven and Richard A. Kneel for reappointment to the Sunshine Ordinance Task Force. (19)

From Michael Miller-Quintana, submitting opposition to the reappointment of Christina Olague to the Planning Commission. File 080239, Copy: Each Supervisor (20)

From concerned citizens, submitting copy of letter to the Health Commission opposing the proposed elimination of mental health clinic directors and programs cuts. 31 letters/3 petitions received (21)

From Neil Signo, commenting on sick leave laws. Copy: Each Supervisor, 2 letters (22)

From Christian Holmer, regarding an immediate disclosure request from the Mayor's Office. (23)

From Alex Lantsberg, submitting 2007 year-end report for the Public Utilities Commission Citizens Advisory Committee and appendix of resolutions. (24)

From Francisco Da Costa, regarding the Southeast Commission. 2 letters (25)

From Denis Drew, commenting on the anti-loitering law. (26)

From Blair M. Canip, commenting on the economy of San Francisco (27)

From Jeannette Berger, commenting on various issues. (28)

From concerned citizen, commenting on affordable housing and delays on proposed development projects. (29)

From Ann Garrison, commenting on the Blue Angels air show. (30)

From concerned citizen, commenting on the number of newsstands from Spruce Street to Laurel Street. Copy: Each Supervisor (31)

From Francisco Da Costa, commenting on Debra Bowen. (32)

From Designing Accessible Communities, commenting on a formal request filed with the Department of Building Inspection to not approve any further destination based elevator system installations. (33)

From Francisco Da Costa, regarding justice and fair play. (34)

From Dr. Ahimsa Porter Sumchai, commenting on methicillin resistant staphylococcal skin and soft tissue infections seen in the eastern sectors of San Francisco. (35)

From Ben Lin, commenting on chem-trails/contrails spraying. (36)

From concerned citizens, urging the Board to support the Rainy Day Reserve Fund. File 080142, 2 letters (37)

From Los Socios, regarding St. Luke's Hospital and the ongoing cuts to medical services imposed by Sutter Health. File 071282 (38)

From Don L. Whitney, regarding a request for a 30-day extension to file an appeal for a project located at 855 Sacramento Street. Copy: Each Supervisor, 2 letters (39)

From Office of the Mayor, submitting notice designating Supervisor Sean Elsbernd as Acting Mayor March 1, 2008 until midnight March 3, 2008 or longer if necessary. Copy: Each Supervisor; City Attorney (40)

From Eric Brooks, commenting on plastic and re-usable paper bags. (41)

From Bilingual Community Senior Advocates, commenting on a whistleblower complaint filed. (42)

From Idriss Srelley Foundation, urging the Board to support a request for an audit of the First Offender Prostitution Program (FOPP). Copy: Each Supervisor, File 080234 (43)

From concerned citizens, commenting on Lennar Corporation. 3 letters (44)

From Nicole Wright, submitting support for the proposed Wi-Fi agreement with EarthLink. (45)

From Interstice Architects, submitting opposition to the proposed reappointment of Christina Olague to the Planning Commission. File 080239 (46)

From concerned citizens, commenting on proposed commemorative plaques for the homeless who have died. File 080244, Copy: Each Supervisor, 2 letters (47)

From Francisco Da Costa, commenting on AIMCO company. (48)

From Billy Ray Smith, commenting on his experience with the Department of Building Inspection in trying to obtain an occupant permit. Copy: Department of Building Inspection. (49)

From Municipal Transportation Agency, regarding status of removing graffiti from various locations in District 5. (Reference 20080108-017) Copy: Supervisor Mirkarimi (50)

From Elaine Adamson and Edward Gould, commenting on the 55 Laguna Environmental Impact Report. File 080211, Copy: Each Supervisor (51)

From San Francisco Beautiful, submitting opposition to the appointment of Ryan Brooks to the Planning Commission. (52)

From Recreation and Park Department, submitting a draft feasibility study regarding dry storage at the Marine Yacht Harbor. (53)

From Department of Elections, regarding disclaimer requirements for local ballot measures. Copy: Each Supervisor (54)

APPOINTMENTS BY THE MAYOR

Retirement Board
Brenda Wright

Juvenile Probation Commission
Katherine Albright

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, March 18, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsuprvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DOCUMENTS DEPT.

MAR 13 2008

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PUBLIC LIBRARY

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080230 [Appropriating \$4,270,320 for Capital Improvements at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008]
Supervisor Chu
Ordinance appropriating \$4,270,320 of General Fund Budget Savings Incentive Reserve Funding for capital improvements at San Francisco General Hospital associated with central service building seismic upgrades and electrical power distribution in the Department of Public Health for Fiscal Year 2007-2008.
(Fiscal Impact.)

3/11/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Alioto-Pier, Chu

2. 080039 [Landmark Tree Designation of Blue Elderberry located in the Bernal Heights Natural Area at Folsom Street and Bernal Heights Boulevard]
Supervisor Ammiano
Ordinance designating the Blue Elderberry (*Sambucus mexicana*) in the Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) at Folsom Street and Bernal Heights Boulevard as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

3/11/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 080040 [Landmark Tree Designation of Moreton Bay Fig at 3555 Cesar Chavez Street, facing Valencia Street]
Supervisor Ammiano
Ordinance designating the Moreton Bay Fig (*Ficus macrophylla*) at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002), facing Valencia Street as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
- 3/11/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
4. 080041 [Landmark Tree Designation of Flowering Ash tree no. 1 at 500 Cortland Avenue]
Supervisor Ammiano
Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 1 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the eastern side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
- 3/11/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 080042 [Landmark Tree Designation of Flowering Ash tree no. 2 at 500 Cortland Avenue]
Supervisor Ammiano
Ordinance designating the Flowering Ash (*Fraxinus ornus*) tree no. 2 at 500 Cortland Avenue, in front of the Bernal Heights Library, which flanks the western side of the main doors to the library on Cortland Avenue (Assessor's Block 5707, Lot 027) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.
- 3/11/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

6. 080236 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco Transportation Code to conform to the requirements of Proposition A]
Supervisor Peskin
Ordinance repealing the San Francisco Traffic Code and enacting Division I of a new San Francisco Transportation Code, setting forth requirements for the regulation of transit, traffic, streets and parking under the jurisdiction of the Board of Supervisors, including the regulation of news gathering vehicles, enforcement authority, parking control, rules for driving, bicycle registration, towing and impoundment, abatement of nuisance vehicles, procedures on the temporary use or occupancy of public streets and violations.
- 3/11/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Daly

7. **071528** [Administrative Code - Amendments Creating Large Tourist Hotel Conversion Ordinance]
Supervisors Peskin, Ammiano, Daly, Maxwell, Mirkarimi, Sandoval
Ordinance amending the Administrative Code to add Section 41F to limit conversion of Large Tourist Hotels into condominium projects, allowing the Planning Commission to approve conversion of up to 500 units before March 1, 2010, establishing conditions precedent and procedures for an annual lottery system for conversions after March 1, 2010, requiring applicants for conversions to provide the Planning Department with certain information regarding the conversion, creating a 120-month sunset period, and making environmental findings.

3/11/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

8. **080178** [Settlement of Lawsuit - Lydia Jones]
Ordinance authorizing settlement of the lawsuit filed by Lydia Jones against the City and County of San Francisco for \$65,000.00; the lawsuit was filed on October 23, 2006 in San Francisco Superior Court, Case No. CGC-06-457229; entitled Lydia Jones v. City and County of San Francisco, et al. (City Attorney)
9. **080179** [Settlement of Lawsuit - Susan Sponseller]
Ordinance authorizing settlement of the lawsuit filed by Susan Sponseller against the City and County of San Francisco for \$100,000; the lawsuit was filed on January 24, 2007 in San Francisco Superior Court, Case No. 459858; entitled Susan Sponseller v. City and County of San Francisco, et al. (City Attorney)
10. **080180** [Settlement of Lawsuit - Kelly Medora]
Ordinance authorizing settlement of the lawsuit filed by Kelly Medora against the City and County of San Francisco for \$235,000; the lawsuit was filed on January 27, 2006 in United States District Court, Northern District of California, Case No. C06-00558 EDL; entitled Kelly Medora, et al., v. City and County of San Francisco, et al. (City Attorney)

3/11/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

11. 080196 [Appropriating \$246,000 of General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital]
Supervisors Mirkarimi, Ammiano, Daly
Ordinance appropriating \$246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.
(Supervisors Elsbernd and Chu dissented in committee)
(Fiscal Impact.)

3/11/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd

12. 071661 [Menu Labeling At Chain Restaurants]
Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell
Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to disclose, per standard menu item, the total number of calories on menu boards and food tags, and the total amount of calories, saturated fat, carbohydrates and sodium on menus; (2) revise existing requirements for providing nutritional information on alternative disclosure media; and (3) authorize the Department of Public Health to impose a fee on chain restaurants for implementation of the ordinance.

1/8/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

3/11/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/11/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

13. 071552 [Approving Water System Improvement Program (WSIP) Agreement]
Resolution approving Amendment No. 1 to Agreement No. CS-765 of the San Francisco Water System Improvement Program (WSIP) – Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure
(Public Utilities Commission)
(Supervisor Daly dissented in committee)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

14. 071518 [Standards of Care for City Shelters]
Supervisors Ammiano, Mirkarimi, Peskin, Daly, Maxwell
Ordinance amending the San Francisco Administrative Code by adding a new Article 13 to Chapter 20 to: 1) mandate certain provisions in all contracts for City funded shelters, 2) require the City to take corrective enforcement measures against City-funded shelter contractors who fail to comply with contractual provisions that this Article requires; 3) require the Shelter Monitoring Committee to investigate complaints against City funded-shelters, and 4) require the Director of the Department of Public Health to determine if the imposition of liquidated damages is warranted against shelters who fail to comply with a corrective action plan.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080229 [Shelter Monitoring Committee]
Supervisors Ammiano, Peskin, Maxwell
Ordinance amending sections 20.302 of the San Francisco Administrative Code to require the Department of Public Health to assign two full-time employees to staff the Shelter Monitoring Committee, subject to the fiscal and budgetary provisions of the Charter.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

16. 071672 [Public Works Code - Landmark Trees]
Supervisor McGoldrick
Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

17. 080260 [Appointment, Planning Commission - Ryan Brooks]
Motion approving the Mayor's appointment of Ryan Brooks to the Planning Commission term ending June 30, 2008.
(Mayor)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080261.)
Transmittal date - February 14, 2008.

Question: Shall this Motion be APPROVED?

18. 080261 [Appointment, Planning Commission - Ryan Brooks]
Motion rejecting the Mayor's appointment of Ryan Brooks to the Planning Commission term ending June 30, 2008.
(Mayor)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080260.)
Transmittal date - February 14, 2008.

Question: Shall this Motion be APPROVED?

19. 080265 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion approving the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012.
(Mayor)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080266, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

20. 080266 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion rejecting the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012.
(Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

21. 080267 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion taking no position concerning the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for term ending January 15, 2012.
(Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

22. 080294 [Confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency] Mayor
Motion confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Question: Shall this Motion be APPROVED?

23. 080295 [Confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency]
Mayor
Motion confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Question: Shall this Motion be APPROVED?

24. 080302 [Appointment, Mental Health Board - M. Lara Arguelles]
Motion appointing M. Lara Arguelles, term ending January 31, 2010, to the Mental Health Board.
M. Lara Arguelles, succeeding Robert Douglas, term expired, seat 13, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010.

Question: Shall this Motion be APPROVED?

Present: Supervisors Dufty, Ammiano

25. 080270 [Appointment, Small Business Commission - Michael O'Connor]
Motion appointing Michael O'Connor, term ending January 6, 2012, to the Small Business Commission.
Michael O'Connor succeeding himself, term expired, seat 1, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for a four-year term ending January 6, 2012.

Question: Shall this Motion be APPROVED?

19. 080265 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion approving the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012.
(Mayor)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080266, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

20. 080266 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion rejecting the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for the term ending January 15, 2012.
(Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

21. 080267 [Appointment, Public Utilities Commission - Francis X. Crowley]
Motion taking no position concerning the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, for term ending January 15, 2012.
(Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 080265, 080267.)
Transmittal date - February 20, 2008.

Question: Shall this Motion be APPROVED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Dufty, Ammiano

22. 080294 [Confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency] Mayor
Motion confirming the re-appointment of London Breed to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Question: Shall this Motion be APPROVED?

23. 080295 [Confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency]
Mayor
Motion confirming the re-appointment of Darshan Singh to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2011.

Question: Shall this Motion be APPROVED?

24. 080302 [Appointment, Mental Health Board - M. Lara Arguelles]
Motion appointing M. Lara Arguelles, term ending January 31, 2010, to the Mental Health Board.
M. Lara Arguelles, succeeding Robert Douglas, term expired, seat 13, must be a family member, for the unexpired portion of a three-year term ending January 31, 2010.

Question: Shall this Motion be APPROVED?

Present: Supervisors Duffy, Ammiano

25. 080270 [Appointment, Small Business Commission - Michael O'Connor]
Motion appointing Michael O'Connor, term ending January 6, 2012, to the Small Business Commission.
Michael O'Connor succeeding himself, term expired, seat 1, must be appointed by the Board of Supervisors. Must be an owner, operator, or officer of a San Francisco small business, for a four-year term ending January 6, 2012.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M**

26. 070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)
- 7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007
- 9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members
Continued to October 16, 2007
- 10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.
Continued to October 30, 2007
- 10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 15, 2008
- 1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008
- Action:** _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

27. 070968 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.
- 7/24/2007, CONTINUED. Continued to September 11, 2007
- 9/11/2007, CONTINUED. Continued to October 16, 2007
- 10/16/2007, CONTINUED. Continued to October 30, 2007
- 10/30/2007, CONTINUED. Continued to January 15, 2008
- 1/15/2008, CONTINUED. Continued to March 18, 2008
- Question: Shall this Motion be APPROVED?**

28. 070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm.

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

29. 080250 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 9 Douglass Street]

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated August 22, 2008, that a project at 9 Douglass Street (Building Permit Application No. 2007.01.11.1515, Case No. 2007.0306DD) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed project would construct a vertical addition to the rear portion of a one-story-over-garage, single-family dwelling and a 4-foot horizontal rear addition located in a RH-2 (Residential House, One Family) District, and a 40-X Height and Bulk District (Assessor's Block 2623, Lot 047).

(Appellant: Stephen M. Williams)

(Filed 2/8/08; Companion measure to 080251; 080252; 080253; District 8.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. 080251 [Affirming the categorical exemption issued for the 9 Douglass Street project]

Motion affirming the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. 080252 [Disapproving the categorical exemption issued for the 9 Douglass Street project]
Motion disapproving the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 080253 [Preparation of findings related to the 9 Douglass Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 9 Douglass Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 41

35. 080352 [Commending Emerit Kalman]
Supervisors Elsbernd, Peskin
Resolution commending Emerit Kalman on his many years of service to his community and participation in local government.

3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 080353 [Commendation for Dr. Julianne Malveaux]
Supervisor Maxwell
Resolution commending Dr. Julianne Malveaux on her appointment as the 15th President of Bennett College for Women and proclaiming March 24, 2008 Dr. Julianne Malveaux day in San Francisco.

3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 080354 [Save Candlestick State Recreation Area]
Supervisor Maxwell
Resolution urging the California State Legislature to keep Candlestick State Recreation Area in the City of San Francisco open and allocate additional funding for the park to fulfill the general plan.

3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 080355 [Supporting University of California patient care and service employees in contract negotiations]
Supervisor Ammiano
Resolution supporting University of California low-wage patient care and service employees and the findings of Failing California's Communities: How the University of California's Low Wages Affect Surrounding Cities and Neighborhoods.

3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

39. 080356 [Grant funds to support worker health and safety - \$7, 360]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$7,360 from the University of California, Berkeley for a project entitled "Worker Health and Safety in Chinatown Restaurants," for the period of September 1, 2007 through August 31, 2008.
- 3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 080357 [Approval of a 60 day extension for Planning Commission review]
Supervisor Alioto-Pier
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
41. 080358 [Urging the State to pay expenses for special election]
Supervisor Peskin
Resolution urging the California State Legislature to introduce and support legislation to pay for the expenses authorized and incurred in the preparation for and conduct of the special election proclaimed by the Governor, and the special primary election required by law, to fill the vacancy in the office of the Member of Congress from the 12th Congressional District.

3/11/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

*[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 4, 2008 through March 10, 2008, for reference by President to appropriate committee on March 18, 2008.

080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against PACIFIC GAS AND ELECTRIC CO., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation v. PACIFIC GAS & ELECTRIC CO., a corporation, STACY AND WITBECK/ESQUIVEL, a joint venture, STACY AND WITBECK, INC., a corporation, ESQUIVEL GRADING AND PAVING, INC., a corporation, BAUMAN LANDSCAPE, INC., a corporation, and DOES 1 to 25, inclusive.
(City Attorney)

3/5/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 4, 2008 through March 10, 2008, for reference by President to appropriate committee on March 18, 2008.

080332 [Security Services Contract Approval -Guardsmark LLC]

Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of \$20,300,257.
(Human Services Department)

3/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080333 [Ten Year Capital Expenditure Plan]

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018.
(City Administrator)

3/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080371 [Department of Human Resources contract for implementation services]

Resolution approving the award and execution of a \$13,563,250 29-month contract by the City and County of San Francisco, through its Department of Human Resources, to CIBER, Inc., for implementation services to integrate the City's human resources and payroll functions.
(Human Resources Department)

3/10/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080376 [Petitions and Communications]

Petitions and Communications received from March 4, 2008 through March 10, 2008 for reference by the President to March 18, 2008.

From Office of the Controller, submitting notification to the Mayor's office that the Fiscal Year 2008-2009 budget is available for review and consideration. (1)

From Eric Brooks, commenting on the Solar Energy Incentive Program. File 071679 (2)

From Bill Hirsh, submitting support for the Market-Octavia Plan as amended. File 080255 (3)

From concerned citizens, commenting on the proposed changes to make the Legislative Chamber wheelchair accessible. File 080256, 080257, 080258, Copy: Each Supervisor, 14 letters (4)

From Department of Public Health, regarding status on inquiry made to the IHO Team. (Reference 20080108-011) Copy: Supervisor Mirkarimi, 2 letters (5)

From Mary Miles, submitting public comment on the Environmental Impact Report for 55 Laguna Street Mixed Use Project. File 080211, Copy: Each Supervisor, 2 letters (6)

From Mary Miles, regarding request for continuance of agenda items for the Market-Octavia Area rezoning ordinance. Files 071156, 071157, 081159, 080255, Copy: Each Supervisor (7)

From concerned citizens, commenting on the proposed bronze plaques for deceased homeless. File 080244, Copy: Each Supervisor, 3 letters (8)

From Christian Holmer, regarding an immediate disclosure request from the Mayor's office and District Attorney. (9)

From concerned citizens, submitting opposition to the proposed elimination of the proposed Clinic Director's position at the Center for Special Problems. 13 letters (10)

From Department of Public Works, regarding status on removing graffiti from newsstands at various locations in District 5. (Reference 20080108-019) Copy: Supervisor Mirkarimi (11)

From concerned citizens, urging the Board to support the proposed amendment of the "Scene in San Francisco" Rebate Program. File 071659, Copy: Each Supervisor, 9 letters (12)

From concerned citizens, submitting support for the 55 Laguna Street project. File 080211, 2 letters (13)

From concerned citizens, commenting on the creation of a skate park at the Waller Street section of Golden Gate Park. Copy: Each Supervisor, 7 letters (14)

From Francisco Da Costa, regarding affordable housing requirement for the Candlestick Point and Hunters Point Shipyard mixed-use redevelopment project. (15)

From Municipal Transportation Agency, regarding status on the feasibility of establishing an ALL-WAY STOP at the intersection of Naglee Avenue at Huron Avenue as well as the number of accidents that have taken place at this intersection in the past three years. (Reference 20080129-010) (16)

From Office of the Controller/City Services Auditor, submitting report on purchasing and inventory controls needed to prevent waste and fraud for the Port of San Francisco. (17)

From Department of Elections, regarding the certification of petition related to affordable housing

requirement for the Candlestick Point and Hunters Point Shipyard mixed-use development project. (18)

From Sunshine Ordinance Task Force, submitting budget proposal for the Sunshine Ordinance Task Force. (19)

From The California State University/Office of the Chancellor, commenting on developing uniform hiring policies to ensure workforce diversity. File 080073, Copy: Each Supervisor (20)

From John-Marc Chandonia, submitting support for the proposed reappointment of Christina Olague to the Planning Commission. File 080239, Copy: Each Supervisor (21)

From Designing Accessible Communities, commenting on state and federal access code and regulatory violations at the Cirque du Soleil event. (22)

From M. Gay Ducharme, commenting on the proposed Bus Rapid Transit (BRT) program for Geary Boulevard. (23)

From Francisco Da Costa, commenting on various issues regarding the Bayview Hunters Point area. 6 letters (24)

From concerned citizens, commenting on the proposed lawsuit settlement agreement regarding Laguna Honda Hospital. File 080135, 13 letters (25)

From Farella Braun + Martel, regarding the proposed categorical exemption appeal for the property located 9 Douglass Street. File 080250, Copy: Each Supervisor (26)

From Clerk of the Board, regarding the Mayor's appointments to various Commissions. 2 letters (27)

From Department of Elections, regarding disclaimer requirements for local ballot measures. Copy: Each Supervisor (28)

From Department of Elections, regarding mailing of voter information pamphlets and vote-by-mail ballots for April 8, 2008 special congressional open primary election. Copy: Each Supervisor (29)

From Planning Department, regarding status on current development plans related to Fulton Mall. (Reference 20080205-010) Copy: Supervisor Mirkarimi (30)

From Bridge Housing, regarding Armstrong Place Senior Housing, application for State Transit Oriented Development funding. (31)

From Neil Signo, commenting on various issues and concerns. (32)

From Ahimsa Porter Sumchai, MD, regarding an open letter to the S.F. Weekly. (33)

From Police Department, regarding status on inquiry regarding homicides and shootings throughout the City and in particular the Mission District. (Reference 20080115-012) (34)

From Thomas Kowalski, submitting support for the continued operation of the San Francisco General Hospital Occupational Injury Clinic. (35)

From David West, PhD., urging the Board to confirm the appointment of Ryan L. Brooks to the Planning Commission. File 080261, Copy: Each Supervisor (36)

From concerned citizens, submitting opposition to the proposed elimination of mental health clinic directors and program cuts. 3 Petitions (37)

From John Kasper, commenting on a video being shown on goggle.com. (38)

From Steve Jones, commenting the California Department of Food and Agriculture and the US Department of Homeland Security. (39)

From Planning Department, submitting the San Francisco General Hospital Seismic Compliance Hospital Replacement Program Draft Environmental Impact Report. (40)

APPOINTMENTS BY THE MAYOR

Treasure Island Development Advisory Board

John Rahaim

Matthew Franklin

Juvenile Probation Commission

Katherine Albright

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, March 25, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsuprvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DOCUMENTS DEPT.

MAR 21 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 4, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 and 2

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

1. 080262 [Approval of the Substance Abuse and Crime Prevention Act of 2000-Implementation Plan]
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and
Crime Prevention Act of 2000 for Fiscal Year 2007-2008.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

2. 071672 [Public Works Code - Landmark Trees]

Supervisor McGoldrick

Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

3/18/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

3. **080387** [Adopting findings related to affirming the categorical exemption issued for the 9 Douglass Street project]
Motion adopting findings related to affirming the determination by the Planning Department that the 9 Douglass Street project is categorically exempt from environmental review under the California Environmental Quality Act.
- 3/19/2008, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

4. **071518** [Standards of Care for City Shelters]
Supervisors Ammiano, Mirkarimi, Peskin, Daly, Maxwell, Sandoval
Ordinance amending the San Francisco Administrative Code by adding a new Article 13 to Chapter 20 to: 1) mandate certain provisions in all contracts for City funded shelters, 2) require the City to take corrective enforcement measures against City-funded shelter contractors who fail to comply with contractual provisions that this Article requires; 3) require the Shelter Monitoring Committee to investigate complaints against City funded-shelters, and 4) require the Director of the Department of Public Health to determine if the imposition of liquidated damages is warranted against shelters who fail to comply with a corrective action plan.
(Fiscal Impact.)
- 3/18/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Sandoval requested to be added as a co-sponsor.
3/18/2008, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
5. **080229** [Shelter Monitoring Committee]
Supervisors Ammiano, Peskin, Maxwell, Sandoval
Ordinance amending sections 20.302 of the San Francisco Administrative Code to require the Department of Public Health to assign two full-time employees to staff the Shelter Monitoring Committee, subject to the fiscal and budgetary provisions of the Charter.
- 3/18/2008, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

6. 080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

2/26/2008, CONTINUED. Continued to March 11, 2008 to be heard in Closed Session

3/11/2008, CONTINUED. Continued to March 25, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?



NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

7. **080125** **[Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]**
Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code.
(Real Estate Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
8. **080141** **[Waiver of Administrative Code Section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]**
Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount.
(Public Utilities Commission)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
9. **080274** **[Approval of Health Service System Plans and Contribution Rates]**
Supervisor Elsbernd
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
10. **080275** **[Establishing monthly contribution amount to Health Service Trust Fund]**
Supervisor Elsbernd
Resolution establishing monthly contribution amount to Health Service Trust Fund.
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?**
11. **080194** **[Reallocating state grant funds for capital projects in Golden Gate Park]**
Supervisor Alioto-Pier
Resolution authorizing reallocation of \$11,928,060 in Proposition 40 grant funds among 14 capital projects in Golden Gate Park.
- Question: Shall this Resolution be ADOPTED?**

Present: Supervisors McGoldrick, Elsbernd, Chu

12. 080140 [Airport Professional Services Agreement for Construction Management Services for the Terminal 2/Boarding Area D Project with Anticipated Expenditures in Excess of \$10 Million]
Resolution approving the Professional Services Agreement, Airport Contract 8757.9 – Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities between T2 Partners, a Joint Venture of Parsons Transportation Group, EPC Consultants, Inc., and the Allen Group, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed \$15,000,000, pursuant to San Francisco Charter Section 9.118(b).
(Airport Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

13. 080346 [Reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08]
Supervisor Daly
Ordinance reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

14. 080150 [Approving Amendment to Paratransit Broker Agreement with ATM/Vancom]
Supervisor Alioto-Pier
Resolution approving Amendment No. 7 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current contract for two years, through March 31, 2010; to augment the scope of work to implement the new debit card program; to lease up to 40 new vans to the Paratransit Broker for use in the Paratransit Program; and to increase the contract amount by \$33,803,476, for a total contract amount not to exceed \$191,825,015.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

15. 080318 [Mortgage Revenue Bonds - Geary Boulevard Senior Living and Health Center]
Supervisor McGoldrick

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed \$38,000,000 for Geary Boulevard Senior Living and Health Center; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$190,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$38,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

16. 031034 [Planning Code - Northeast Waterfront Historic District Signs]
Supervisor Peskin

Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 071651 [Planning - Administrative Enforcement Remedies]**Supervisors Sandoval, Maxwell**

Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

18. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar) (Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

19. 070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008

Question: Shall this Motion be APPROVED?

20. 070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008

Question: Shall this Motion be APPROVED?



21. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
- Question: Shall this Motion be APPROVED?**

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular meeting on Thursday, March 20, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 25, 2008.

22. 080326 [Confirmation of Controller - Ben Rosenfield]
Mayor
Motion confirming appointment of Ben Rosenfield as Controller.
- Question: Shall this Motion be APPROVED?**
23. 080231 [Driving-experience requirements for taxi medallion applicants]
Supervisor Daly
Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.
- 2/26/2008, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular meeting on Thursday, March 20, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, March 25, 2008.

24. 080317 [Accept and Expend CEC PIER Grant Funds - \$995,791]

Supervisor Chu

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a California Energy Commission (CEC) Public Interest Energy Research (PIER) Grant in the amount of \$995,791.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, March 24, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, March 25, 2008.

25. 071001 [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]

Supervisor Ammiano

Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act. (No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District]

Supervisors Mirkarimi, Ammiano

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act. (No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/18/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]
Supervisors Mirkarimi, Ammiano
- Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

27. 080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]
Supervisors Mirkarimi, Ammiano
- Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots and 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 30 through 37

30. 080381 [Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco]
Supervisors Duffy, Ammiano, Peskin, Maxwell, Chu, Elsbernd, Alioto-Pier, Sandoval, Mirkarimi, Daly, McGoldrick
Resolution commending Susan Leal on her 15 years of dedicated service to the citizens of the City and County of San Francisco.

3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 080382 [Supporting storm water runoff requirements for federal development projects]
Supervisors Alioto-Pier, Ammiano, Dufty, Mirkarimi
Resolution supporting the storm water runoff requirements for federal development projects.

3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 080383 [Condemning Oklahoma State Representative Sally Kerns' remarks directed toward the LGBT community]
Supervisors Ammiano, Dufty
Resolution condemning Oklahoma State Representative Sally Kerns' remarks regarding the LGBT community.

3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 080384 [Gift of Funds to Office of Labor Standards Enforcement - \$33,892.65]
Supervisors Maxwell, Peskin
Resolution authorizing the Office of Labor Standards Enforcement to accept and expend a gift in the amount of \$33,892.65 pursuant to the settlement agreement in Aubrey et al. v. Marriott International, Inc. et al. for the purpose of enforcement of the San Francisco Minimum Wage.

3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?



34. 080385 [Commending Breathe California Golden Gate Public Health Partnership]
Supervisor Maxwell
Resolution recognizing Breathe California on its 100th anniversary of continuous service to the Bay Area community. Since 1908, Breathe California has been fighting lung disease through prevention, education, advocacy and patient services.
- 3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. 080386 [Commending California Institute of Asian Studies]
Supervisor Maxwell
Resolution commending California Institute of Asian Studies and proclaiming April 8, 2008 as California Institute of Integral Studies Day in San Francisco.
- 3/18/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
36. 080360 [Final Map - 75 Moss Street]
Motion approving Final Map 4617, a 14 Unit Residential Condominium Project, located at 75 Moss Street being a subdivision of Lot 058 in Assessors Block No. 3731 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,441; District 6.)
- 3/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
37. 080361 [Final Map - 942 Market Street]
Motion approving Final Map 4177, a 32 Residential Unit and a 3 Commercial Unit Mixed-Use Condominium Project, located at 942 Market Street being a subdivision of Lot 005 in Assessors Block No. 0341 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,442; District 6.)
- 3/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 11, 2008 through March 17, 2008, for reference by President to appropriate committee on March 25, 2008.

- 080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]**
Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings.
(Planning Department)

3/12/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/28/2008.



080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

3/12/2008, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/28/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 11, 2008 through March 17, 2008, for reference by President to appropriate committee on March 25, 2008.

080337 [Authorizing the Sheriff to execute contracts with the State]

Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody. (Sheriff)

3/11/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080362 [Amending a contract with anticipated expenditures in excess of \$10 million]

Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by one year to May 31, 2009 and increasing the total compensation to the Contractor by \$3 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

3/14/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080363 [Professional services agreement to provide professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$1,900,000, for a total revised agreement amount of \$13,900,000. (Public Utilities Commission)

3/17/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.



080389 [Petitions and Communications]

Petitions and Communications received from March 11, 2008 through March 17, 2008 for reference by the President to March 25, 2008.

From concerned citizens, urging the Board to support ordinance amending the "Scene in San Francisco" rebate program. File 071659, 12 letters (1)

From Mayor Newsom, regarding the Board of Supervisor's decision against making the President's podium in the Board Chamber accessible to persons with disabilities. File 080256, (2)

From concerned citizens, submitting opposition to the proposed expenditure in order to make the President's podium in the Board Chamber wheelchair accessible. File 080256, Copy: Each Supervisor (3)

From Bobbie Ann Lerma, submitting opposition to the proposed merger of James Denman Middle School and Leadership High School. Copy: Each Supervisor (4)

From Real Estate Department, regarding 460 Brannan Street and Fox Plaza Post Office relocation. (5)

From concerned citizens, commenting on the settlement of lawsuit regarding Laguna Honda Hospital. File 080135, 2 letters (6)

From Neil Signo, commenting on recent reports of water contamination. (7)

From concerned citizens, commenting on Lennar Corporation. 3 letters (8)

From Cynthia Campbell, commenting on the Light Brown Apple Moth chemical program. (9)

From Christian Holmer, regarding an immediate disclosure request from various City departments. 2 letters (10)

From Matthew Tsou, urging the Board to fund the Neighborhood Emergency Response Team (NERT) program. (11)

From James J. Ludwig, commenting on the proposed project to install bronze plaques on city sidewalks to memorialize homeless people who die on the street. File 080244 (12)

From concerned citizens, commenting on Fleet Week and the Blue Angels. (13)

From James Chaffee, commenting on public comment before closed session. Copy: Each Supervisor (14)

From Robert Baldwin, commenting on menu disclosures. File 071661, Copy: Each Supervisor (15)

From Bruce Brugmann, commenting on SF Weekly and Village Voice Media. (16)

From Neil Signo, commenting on healthcare in San Francisco. (17)

From Larry Leonardini, submitting link to blog regarding low-riders and potholes. (18)

From Francisco Da Costa, commenting on Proposition F. (19)

From Felipe Munoz and Brad Sherrill, submitting notice of community outreach meeting for proposed project located at 1593-1595 Treat Avenue. (20)



From Dr. Ahimsa Porter Sumchai, commenting on adherence to the 72 hour mandate for noticing of public meetings by the Disaster Council. (21)

From Asa DeMatteo, Ph.D. and Thomas J. Brady, M.D., commenting on sewer line problems reported. (22)

From US Army Corps of Engineers, submitting public notice of intent to prepare a joint Environmental Impact Statement/Environmental Impact Report for the San Francisco Bay to Stockton (John F. Baldwin and Stockton Ship Chronicle) Navigation Improvement Project, California. (23)

From Bob Planthold, commenting on restoring funds for the Department of Public Health Disaster Registry program. (24)

From India Basin Neighborhood Association, submitting copy of letter to the San Francisco Business Times in response to their article about the transfer of land at 900 Innes Avenue. File 080279 (25)

From Municipal Transportation Agency, regarding status on the feasibility of establishing an ALL-WAY STOP at the intersection of Ridgewood Avenue at Joost Avenue. (Reference 20071204-002) (26)

From Office of the Mayor, regarding access to and retention of community safety camera recordings ordinance. Copy: Each Supervisor (27)

From concerned students, regarding the future of Newcomber High School. File 080142, Copy: Each Supervisor (28)

From San Francisco Beautiful, regarding the Mayor's appointment of Ryan Brooks to the San Francisco Planning Commission. File 080260, Copy: Each Supervisor (29)

From Office of the Mayor, regarding Ryan Brooks' request for withdrawal of appointment to the San Francisco Planning Commission. File 080260, Copy: Each Supervisor (30)

From US Army Corps of Engineers, submitting public notice regarding Port Sonoma Marina – Dredged Material Offloader project. (31)

From US Army Corps of Engineers, submitting public notice regarding San Francisco Marina, West Basin, Maintenance Dredging project. (32)

From Department of Public Works, regarding status on removing graffiti from utility poles at various locations in District 5. (Reference 20080304-006) Copy: Supervisor Mirkarimi (33)

From Department of Public Works, regarding status on removing graffiti from various locations in District 5. (Reference 20080304-003) Copy: Supervisor Mirkarimi (34)

From Department of Public Works, regarding status on removing graffiti from garbage cans at various locations in District 5. (Reference 20080304-007) Copy: Supervisor Mirkarimi (35)

From Cynthia and Allen Campbell, commenting on the Light Brown Apple Moth chemical program contracts. (36)

From California Academy of Sciences, submitting the department Efficiency Plan/Performance Measures for the California Academy of Sciences. (37)

From Ivan E. Pratt, commenting on budget cuts affecting public school teachers proposed by the Governor. (38)

From Kenneth Sproul, commenting on the Olympic Torch. (39)

From David Green, commenting on Hunters Point power plant. (40)

From Michael Boyd, commenting on Proposition F. (41)

From Francisco Da Costa, commenting on news items published on the Indybay.org website. 2 letters (42)

From Kimo Crossman, regarding a Sunshine Ordinance Taskforce complaint. (43)

From Janette Barocca, commenting on an incident involving the police and a parolee. (44)

From Kimo Crossman, regarding email and text messaging used by State officials. (45)

From California Alliance for Retired Americans, submitting support for the United States National Health Insurance Act. Copy: Each Supervisor (46)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 1, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

DOCUMENTS DEPT.

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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 11, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

1. 080125 [Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]
Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code.
(Real Estate Department)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **080141** [Waiver of Administrative Code Section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]
Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount.
(Public Utilities Commission)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. **080274** [Approval of Health Service System Plans and Contribution Rates]
Supervisor Elsbernd
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

4. **080313** [Grant to support the National HIV Behavioral Surveillance project - \$418,225]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant from the Centers for Disease Control (CDC) in the amount of \$418,225 to support the "National HIV Behavioral Surveillance" project, and to enter into a subcontract with the Public Health Foundation Enterprises (PHFE) in the amount of \$53,723; for the period of January 1, 2008 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

5. **080314** [Grant funds to support HIV vaccine trials - \$156,895]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$156,895, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Leadership Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

Question: Shall this Resolution be ADOPTED?

6. 080315 [Grant funds to support HIV vaccine trials - \$126,989]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$126,989, with the Fred Hutchinson Cancer Research Center (FHCR), the primary contractor, to support the San Francisco HIV Vaccine Trial Network 40% Transition Costs; for the period of June 1, 2007 through December 31, 2007

Question: Shall this Resolution be ADOPTED?

7. 080316 [Accept and Expend Regional Grant - Department of the Environment - \$157,500]
Supervisor Chu
Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of \$157,500 from the Bay Area Air Quality Management District (BAAQMD) to assist taxi companies with grant funding to help them offset the incremental costs associated with the purchase of 75 light-duty clean air vehicle taxis.

Question: Shall this Resolution be ADOPTED?

8. 080347 [Accept and Expend Department of Water Resources (DWR) Water Use Efficiency Grant Funds - \$200,000]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources (DWR) Water Use Efficiency Grant in the amount of \$200,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

9. 031034 [Planning Code - Northeast Waterfront Historic District Signs]
Supervisor Peskin
Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 071651 [Planning - Administrative Enforcement Remedies]
Supervisors Sandoval, Maxwell, Peskin
Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

3/25/2008, PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Duffy

11. 080154 [Accept-Expend Federal Grant - Airport Commission - \$849,126]
Supervisor Elsbernd
Resolution authorizing the Airport Commission to accept and expend funding in a total amount of \$849,126 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

12. 080276 [Accept-Expend Grant, Mayor's Office of Criminal Justice (MOCJ) - \$287,150]
Supervisor Elsbernd
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$287,150 from the California Corrections Standards Authority for the purpose of enhancing the capacity of San Francisco to implement an effective continuum of response to juvenile crime and delinquency.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

13. 080231 [Driving-experience requirements for taxi medallion applicants]
Supervisors Daly, Duffy, Ammiano
Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

2/26/2008, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 080303 [Appointment - Asthma Task Force]
Motion appointing Amy Dietz, term ending July 1, 2008, to the Asthma Task Force.
Amy Dietz, succeeding Barbara Conner Andersen, seat 15, resigned, must be an individual who represents health care professions working with asthmatics and is a voting member, for the unexpired portion of a two-year term ending July 1, 2008.

Question: Shall this Motion be APPROVED?

15. 080375 [Appointment - Small Business Commission]
Motion appointing Jafet Clyde, term ending January 6, 2012, to the Small Business Commission.
Janet Clyde, succeeding Jordanna Thigpen, term expired, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance, for a four-year term ending January 6, 2012.

Question: Shall this Motion be APPROVED?

Present: Supervisors Daly, Duffy

16. 080374 [Appointment - Peak Oil Preparedness Task Force]
Motion appointing Richard Katz and Franz Cheng, for unexpired portion of terms ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.
Richard Katz, succeeding Carl Duisberg, resigned, seat 2, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.
Franz Cheng, succeeding Marya Stark, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

17. 080346 [Reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08]
Supervisor McGoldrick
Ordinance reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

18. 080135 [Settlement of Lawsuit - Mark Chambers]
Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

2/26/2008, CONTINUED. Continued to March 11, 2008 to be heard in Closed Session

3/11/2008, CONTINUED. Continued to March 25, 2008

3/25/2008, CONTINUED. Continued to April 1, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

19. 080284 [Bond Sale of Branch Library General Obligation Bonds]
Mayor, Supervisors Peskin, Alioto-Pier
Resolution authorizing and directing the sale of not to exceed \$31,065,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2008A, Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing For the Establishment of Accounts Related Thereto; Approving the Forms of Official Notice of Sale and Notice of Intention to Sell Bonds; Directing the Publication of the Notice of Intention to Sell Bonds; Approving the Form and Execution of the Official Statement Relating Thereto; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications to Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority to City Officials to Take Necessary Actions in Connection with the Authorization, Issuance, Sale and Delivery of Said Bonds.

Question: Shall this Resolution be ADOPTED?

20. 080369 [Directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures]
Supervisor McGoldrick
Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and creating efficiencies and reporting their recommendations to the Budget and Finance Committee.

Question: Shall this Motion be APPROVED?

21. 080238 [Appropriating \$261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08]
Mayor
Ordinance appropriating \$257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating \$4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

22. 080089 [Suspending Health Code Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]
Supervisor Alioto-Pier
Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 080345 [Welcoming Beijing 2008 Olympic Torch, Tibetan Freedom Torch, and Global Human Rights Torch Relay]
Resolution welcoming the Beijing 2008 Olympic Torch, the Tibetan Freedom Torch and the Global Human Rights Torch to San Francisco and urging City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the true spirit of the Olympics, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.
(Supervisor McGoldrick dissented in committee.)

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Chu, McGoldrick, Elsbernd

24. 071489 [Opposing closure of St. Luke's Hospital]
Supervisors Mirkarimi, Ammiano, Maxwell
Resolution opposing the plans of Sutter Health to cease operations at St. Luke's Hospital, requesting City Departments to identify pending applications sought in furtherance of such closure and report such applications; and requesting the City Attorney to investigate the actions taken by Sutter Health and initiate proceedings, if warranted, under relevant statutes.
(Supervisor McGoldrick dissented in Committee.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Peskin

25. 080351 [Changing the official sidewalk width - Mission Street]
Mayor

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Special Meeting on Thursday, March 27, 2008 at 10 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 1, 2008.

26. 080391 [Commending Tibetan Freedom Torch and Global Human Rights Torch Relay]
Supervisors Daly, Ammiano, Mirkarimi

Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Question: Shall this Resolution be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 41

29. 080410 [Summerbridge at San Francisco University High School Day]
Supervisor Alioto-Pier
Resolution declaring Thursday, March 27, 2008 Summerbridge at San Francisco University High School Day.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 080411 [Supporting public access to information regarding the Olympic torch route]
Supervisors Ammiano, Mirkarimi, Daly
Resolution supporting public access to information regarding the Olympic torch route through San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 080412 [Mortgage Credit Certificates]
Supervisor Chu
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

32. 080413 [Commending Asian Chefs Foundation]
Supervisor Chu
Resolution commending Asian Chefs Foundation in the fight against human trafficking.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 080414 [Extending the life of Western SoMa Citizens Planning Task Force]
Supervisor Daly
Resolution extending the life of the Western SoMa Citizens Planning Task Force.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 080415 [19th Avenue corridor speed limit reduction]
Supervisor Elsbernd
Resolution urging the MTA to support Caltrans' recommendation to lower the speed limit along the 19th Avenue corridor from 35 mph to 30 mph.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 080416 [Ed Harrington Day]
Supervisor Peskin
Resolution commending Controller Ed Harrington for 17 years of exemplary service to the City and County of San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 080417 [National Start! Walking Day]
Supervisor Peskin
Resolution proclaiming April 16, 2008 as "National Start! Walking Day" in San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 080418 [Endorsing solar powered parking meters]
Supervisor Mirkarimi
Resolution endorsing the use of solar powered parking meters.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

38. 080421 [Commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative]
Supervisor Sandoval
Resolution commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 080422 [Memorializing the one-year anniversary of the death of Ruby Ordeñana]
Supervisor Sandoval
Resolution memorializing the one-year anniversary of the death of Ruby Ordeñana.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 080419 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst]
Supervisors Peskin, Mirkarimi
Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include an audit of the Communities of Opportunity (COO) program.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
41. 080420 [Waiver permitting City Employees to assist the Department of Elections with the April 8, 2008 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the April 8, 2008 election.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 18, 2008 through March 24, 2008, for reference by President to appropriate committee on April 1, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 18, 2008 through March 24, 2008, for reference by President to appropriate committee on April 1, 2008.

- 080392** [Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]
Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of \$9,877,600 comprised of the MHSA Housing allocation of \$7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of \$2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development.
(Public Health Department)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080393** [Street Artist Winter Holiday Spaces]
Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15.
(Arts Commission)

3/18/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 080394** [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]
Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling \$22,617,052.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]**
Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$944,908.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080396 [Apply For-Accept-Expend Federal Funding - HOME Program]**
Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling \$7,740,804.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080397 [Agreement to Purchase Property in Tuolumne County]**
Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

3/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080431 [Petitions and Communications]

Petitions and Communications received from March 18, 2008 through March 24, 2008 for reference by the President to April 1, 2008.

From Patrick Monette-Shaw, regarding closure of Laguna Honda Hospital's Clarendon Hall and its impact on San Francisco. File 080185, 2 letters (1)

From concerned students, regarding the future of Newcomer High School. File 080142, 17 letters (2)

From Mary Miles, submitting public comment on ordinance repealing the San Francisco Traffic Code and enacting Division 1 of the San Francisco Transportation Code to conform to the requirements of Proposition A. File 080236, Copy: Each Supervisor (3)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the zoo into a rescue facility. File 080031, Copy: Each Supervisor, 29 letters (4)

From Brian Turner, commenting on the proposed ban on unwanted newspapers. Copy: Supervisor Mirkarimi (5)

From Office of the City Administrator, submitting preliminary report on the City's surveillance cameras, pursuant to Administrative Code Section 19.4(d). File 071518, Copy: Each Supervisor (6)

From California Legislative Senate Rules Committee, submitting notice of the Governor's appointment of G. Michael Sutton to the Fish and Game Commission. Copy: Each Supervisor (7)

From Christian Holmer, regarding an immediate disclosure request from the Mayor. 4 letters (8)

From Law Offices of Stephen M. Williams, submitting request for withdrawal of CEQA appeal for property located at 9 Douglass Street. File 080250, Copy: Each Supervisor (9)

From concerned citizens, commenting on the proposed commendation of Emeric Kalman by Supervisor Elsbernd. Copy: Each Supervisor (10)

From William J. Coburn, commenting on the proposed construction of a new ramp for the President's podium in the Board Chamber. File 080256, Copy: Each Supervisor (11)

From William Bruce, commenting on denial of stimulus payments to Supplemental Security Income (SSI) recipients. (12)

From concerned citizens, commenting on the current closures at St. Luke's Hospital. File 071556, 2 letters (13)

From concerned citizens, commenting on the Olympic torch relay coming to San Francisco. File 080345, Copy: Each Supervisor, 6 letters (14)

From Francisco Da Costa, submitting news articles from the Indybay.org website. 4 letters (15)

From Municipal Transportation Agency, regarding status on the possibility of installing vehicle speed reduction devices on 14th Avenue between Ulloa and Vicente Streets. (Reference 20080311-002) (16)

From Department of the Environment, regarding status on providing Urban Forest Council meeting schedules, agendas, attendance records, staffing support requirements, and budget information from January 2007 to March 2008. (Reference 20080318-001) (17)

From Office of the Controller, submitting report on three-year budget projection for general fund supported operations FY 2008-09 through FY 2010-11. Copy: Each Supervisor. (18)

From Department of Public Works, regarding the status on removing graffiti from newsstands at various locations in District 5. (Reference 20080129-002) (19)

From Shannon Seaberg, expressing concerns on the City's surveillance cameras. Copy: Each Supervisor. (20)

From concerned citizen, submitting comments on MUNI fastpass. (21)

From State of California Fish and Game Commission, submitting notification of proposed emergency regulatory action relating to ocean salmon sport fishing. (22)

From Linda Hennessey, commenting on eradicating the invasive little brown apple moth. File 080311, Copy: Each Supervisor. (23)

From Pasta Pomodoro Restaurant, commenting on menu labeling at chain restaurants. File 071661, Copy: Each Supervisor. (24)

From concerned citizens, commenting on the Tibetan Freedom Torch and Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, 47 letters. (25)

From Horus Tolson, expressing concerns on various issues in the Hayes Valley. Copy: Each Supervisor. (26)

From Tom Lloyd-Butler, commenting on the Disability Access Projects. File 080346, Copy: Each Supervisor. (27)

From Linda Underwood, commenting on various issues and concerns. (28)

From Abdalla Megahed, expressing concerns regarding the homeless in the City and requesting assistance regarding a supervisor at 150 Otis who was allegedly abusive. (29)

From Abdalla Megahed, submitting a letter to Chief Heather Fong regarding her support to the homeless community. (30)

APPOINTMENT BY THE MAYOR

Taxi Commission
Min Paek
Paul Gillespie

Arts Commission
Ninive Calegari

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 1, 2008 2:00 PM

Regular Meeting

DOCUMENTS DEPT

MAR 28 2008

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AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sottf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 11, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

1. 080125 [Jurisdictional Property Transfer - Portions of Sue Bierman Park at Washington and Clay Streets (Block 0203, Lot 014)]
Ordinance transferring jurisdiction of reserved portions of Sue Bierman Park located at Washington and Clay Streets (Block 203, Lot 014) from the Department of Public Works to the Recreation and Park Department; and adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code.
(Real Estate Department)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED?**

2. 080141 [Waiver of Administrative Code Section 6.64 to allow modification of Agreement No. CS-525A in an amount that exceeds one hundred-fifty percent of the original contract amount]
Ordinance granting the San Francisco Public Utilities Commission a waiver of Administrative Code Section 6.64 to allow the contract amount of Agreement No. CS-525A with Olivia Chen Consultants to exceed one hundred-fifty percent of the original contract amount.
(Public Utilities Commission)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 080274 [Approval of Health Service System Plans and Contribution Rates]
Supervisor Elsbernd
Ordinance amending Chapter 16, Article XV, of Part 1 of the San Francisco Municipal Administrative Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

4. 080313 [Grant to support the National HIV Behavioral Surveillance project - \$418,225]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a new grant from the Centers for Disease Control (CDC) in the amount of \$418,225 to support the "National HIV Behavioral Surveillance" project, and to enter into a subcontract with the Public Health Foundation Enterprises (PHFE) in the amount of \$53,723; for the period of January 1, 2008 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

5. 080314 [Grant funds to support HIV vaccine trials - \$156,895]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$156,895, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trials Network (VTN) Leadership Group/Public Health Foundation Enterprises (PHFE); for the period of June 1, 2007 through May 31, 2008.

Question: Shall this Resolution be ADOPTED?

6. 080315 [Grant funds to support HIV vaccine trials - \$126,989]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH) to enter retroactively into an agreement and to accept and expend funds in the amount of \$126,989, with the Fred Hutchinson Cancer Research Center (FHCRC), the primary contractor, to support the San Francisco HIV Vaccine Trial Network 40% Transition Costs; for the period of June 1, 2007 through December 31, 2007

Question: Shall this Resolution be ADOPTED?

7. 080316 [Accept and Expend Regional Grant - Department of the Environment - \$157,500]
Supervisor Chu
Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of \$157,500 from the Bay Area Air Quality Management District (BAAQMD) to assist taxi companies with grant funding to help them offset the incremental costs associated with the purchase of 75 light-duty clean air vehicle taxis.

Question: Shall this Resolution be ADOPTED?

8. 080347 [Accept and Expend Department of Water Resources (DWR) Water Use Efficiency Grant Funds - \$200,000]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a Department of Water Resources (DWR) Water Use Efficiency Grant in the amount of \$200,000.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

9. 031034 [Planning Code - Northeast Waterfront Historic District Signs]
Supervisor Peskin
Ordinance amending the Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of nonconforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 071651 [Planning - Administrative Enforcement Remedies]
Supervisors Sandoval, Maxwell, Peskin
Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; amending Sections 1013 and 1119 to refer to Sections 176 and 176.1 as the applicable enforcement and penalty provisions; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

3/25/2008, PASSED ON FIRST READING. Supervisor Peskin requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Mirkarimi, Maxwell, Duffy

11. 080154 [Accept-Expend Federal Grant - Airport Commission - \$849,126]
Supervisor Elsbernd
Resolution authorizing the Airport Commission to accept and expend funding in a total amount of \$849,126 from the Transportation Security Administration ("TSA") for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

12. 080276 [Accept-Expend Grant, Mayor's Office of Criminal Justice (MOCJ) - \$287,150]
Supervisor Elsbernd
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$287,150 from the California Corrections Standards Authority for the purpose of enhancing the capacity of San Francisco to implement an effective continuum of response to juvenile crime and delinquency.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

13. 080231 [Driving-experience requirements for taxi medallion applicants]
Supervisors Daly, Duffy, Ammiano
Ordinance amending the San Francisco Police Code by amending Section 1121, to adjust the driving-experience requirements for taxi medallion applicants.

2/26/2008, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 080303 [Appointment - Asthma Task Force]
Motion appointing Amy Dietz, term ending July 1, 2008, to the Asthma Task Force.
Amy Dietz, succeeding Barbara Conner Andersen, seat 15, resigned, must be an individual who represents health care professions working with asthmatics and is a voting member, for the unexpired portion of a two-year term ending July 1, 2008.

Question: Shall this Motion be APPROVED?

15. 080375 [Appointment - Small Business Commission]
Motion appointing Janet Clyde, term ending January 6, 2012, to the Small Business Commission.
Janet Clyde, succeeding Jordanna Thigpen, term expired, seat 3, must be appointed by the Board of Supervisors. May be a member of the public, and may be either a current or former owner, operator or officer of a San Francisco small business. May be an officer or representative of a neighborhood economic development organization or an expert in small business finance, for a four-year term ending January 6, 2012.

Question: Shall this Motion be APPROVED?

Present: Supervisors Daly, Duffy

16. 080374 [Appointment - Peak Oil Preparedness Task Force]
Motion appointing Richard Katz and Franz Cheng, for unexpired portion of terms ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.
Richard Katz, succeeding Carl Duisberg, resigned, seat 2, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.
Franz Cheng, succeeding Marya Stark, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

17. 080346 [Reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08]
Supervisor McGoldrick
Ordinance reserving \$760,163 of Disability Access Projects for the Board of Supervisors Chamber in the City Administrator's Office for Fiscal Year 2007-08.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

3/25/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

18. 080135 [Settlement of Lawsuit - Mark Chambers]
Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

2/26/2008, CONTINUED. Continued to March 11, 2008 to be heard in Closed Session

3/11/2008, CONTINUED. Continued to March 25, 2008

3/25/2008, CONTINUED. Continued to April 1, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

19. 080284 [Bond Sale of Branch Library General Obligation Bonds]
Mayor, Supervisors Peskin, Alioto-Pier
Resolution authorizing and directing the sale of not to exceed \$31,065,000 City and County of San Francisco General Obligation Bonds (Branch Library Facilities Improvement Bonds, 2000) Series 2008A; Prescribing the Form and Terms of Said Bonds; Authorizing the Execution, Authentication and Registration of Said Bonds; Providing for the Appointment of Depositories and Other Agents for Said Bonds; Providing For the Establishment of Accounts Related Thereto; Approving the Forms of Official Notice of Sale and Notice of Intention to Sell Bonds; Directing the Publication of the Notice of Intention to Sell Bonds; Approving the Form and Execution of the Official Statement Relating Thereto; Approving the Form of the Continuing Disclosure Certificate; Approving Modifications to Documents; Ratifying Certain Actions Previously Taken; and Granting General Authority to City Officials to Take Necessary Actions in Connection with the Authorization, Issuance, Sale and Delivery of Said Bonds.

Question: Shall this Resolution be ADOPTED?

20. 080369 [Directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures]
Supervisor McGoldrick
Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and creating efficiencies and reporting their recommendations to the Budget and Finance Committee.

Question: Shall this Motion be APPROVED?

21. 080238 [Appropriating \$261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08]
Mayor
Ordinance appropriating \$257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating \$4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the City Operations and Neighborhood Services Committee*Present: Supervisors Chu, McGoldrick, Elsbernd*

22. 080089 [Suspending Health Code Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]
 Supervisor Alioto-Pier
 Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 080345 [Welcoming Beijing 2008 Olympic Torch, Tibetan Freedom Torch, and Global Human Rights Torch Relay]
 Resolution welcoming the Beijing 2008 Olympic Torch, the Tibetan Freedom Torch and the Global Human Rights Torch to San Francisco and urging City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the true spirit of the Olympics, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee Without Recommendation*Present: Supervisors Chu, McGoldrick, Elsbernd*

- * 24. 071489 [Opposing closure of St. Luke's Hospital]
 Supervisors Mirkarimi, Ammiano, Maxwell
 Resolution opposing the plans of Sutter Health to cease operations at St. Luke's Hospital, requesting City Departments to identify pending applications sought in furtherance of such closure and report such applications; and requesting the City Attorney to investigate the actions taken by Sutter Health and initiate proceedings, if warranted, under relevant statutes.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

25. 080351 [Changing the official sidewalk width - Mission Street]
Mayor
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 157§ to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Special Meeting on Thursday, March 27, 2008 at 10 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 1, 2008.

26. 080391 [Commending Tibetan Freedom Torch and Global Human Rights Torch Relay]
Supervisors Daly, Ammiano, Mirkarimi
Resolution commending the Tibetan Freedom Torch and the Global Human Rights Torch Relay in their efforts to raise awareness regarding human rights violations in China and urging the San Francisco City Representatives accepting the Beijing 2008 Olympic Torch to welcome the Torch in the explicit spirit of Olympism, consistent with the United Nations Charter established in this City, and the United Nations Universal Declaration of Human Rights.

Question: Shall this Resolution be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 41

29. 080410 [Summerbridge at San Francisco University High School Day]
Supervisor Alioto-Pier
Resolution declaring Thursday, March 27, 2008 Summerbridge at San Francisco University High School Day.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 080411 [Supporting public access to information regarding the Olympic torch route]
Supervisors Ammiano, Mirkarimi, Daly
Resolution supporting public access to information regarding the Olympic torch route through San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 080412 [Mortgage Credit Certificates]
Supervisor Chu
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

32. 080413 [Commending Asian Chefs Foundation]
Supervisor Chu
Resolution commending Asian Chefs Foundation in the fight against human trafficking.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
Question: Shall this Resolution be ADOPTED?
33. 080414 [Extending the life of Western SoMa Citizens Planning Task Force]
Supervisor Daly
Resolution extending the life of the Western SoMa Citizens Planning Task Force.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 080415 [19th Avenue corridor speed limit reduction]
Supervisor Elsbernd
Resolution urging the MTA to support Caltrans' recommendation to lower the speed limit along the 19th Avenue corridor from 35 mph to 30 mph.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 080416 [Ed Harrington Day]
Supervisor Peskin
Resolution commending Controller Ed Harrington for 17 years of exemplary service to the City and County of San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 080417 [National Start! Walking Day]
Supervisor Peskin
Resolution proclaiming April 16, 2008 as "National Start! Walking Day" in San Francisco.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
37. 080418 [Endorsing solar powered parking meters]
Supervisor Mirkarimi
Resolution endorsing the use of solar powered parking meters.

3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

38. 080421 [Commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative]
Supervisor Sandoval
Resolution commending the Latino Community Foundation on the occasion of their Third Annual Gala and for their new Latino Children and Youth Initiative.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 080422 [Memorializing the one-year anniversary of the death of Ruby Ordeñana]
Supervisor Sandoval
Resolution memorializing the one-year anniversary of the death of Ruby Ordeñana.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 080419 [Amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst]
Supervisors Peskin, Mirkarimi
Motion amending the FY 2007-2008 schedule of audits to be conducted of programs of City and County departments by the Budget Analyst to include an audit of the Communities of Opportunity (COO) program.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
41. 080420 [Waiver permitting City Employees to assist the Department of Elections with the April 8, 2008 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the April 8, 2008 election.
- 3/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 18, 2008 through March 24, 2008, for reference by President to appropriate committee on April 1, 2008.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from March 18, 2008 through March 24, 2008, for reference by President to appropriate committee on April 1, 2008.

- 080392** [Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]
Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of \$9,877,600 comprised of the MHSA Housing allocation of \$7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of \$2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development.
(Public Health Department)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080393** [Street Artist Winter Holiday Spaces]
Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15.
(Arts Commission)

3/18/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 080394** [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]
Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling \$22,617,052.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

- 080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]
Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$944,908.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080396 [Apply For-Accept-Expend Federal Funding - HOME Program]
Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Reprogrammed Funds, totaling \$7,740,804.
(Mayor)

3/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080397 [Agreement to Purchase Property in Tuolumne County]
Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

3/24/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080431 [Petitions and Communications]

Petitions and Communications received from March 18, 2008 through March 24, 2008 for reference by the President to April 1, 2008.

From Patrick Monette-Shaw, regarding closure of Laguna Honda Hospital's Clarendon Hall and its impact on San Francisco. File 080185, 2 letters (1)

From concerned students, regarding the future of Newcomer High School. File 080142, 17 letters (2)

From Mary Miles, submitting public comment on ordinance repealing the San Francisco Traffic Code and enacting Division 1 of the San Francisco Transportation Code to conform to the requirements of Proposition A. File 080236, Copy: Each Supervisor (3)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the zoo into a rescue facility. File 080031, Copy: Each Supervisor, 29 letters (4)

From Brian Turner, commenting on the proposed ban on unwanted newspapers. Copy: Supervisor Mirkarimi (5)

From Office of the City Administrator, submitting preliminary report on the City's surveillance cameras, pursuant to Administrative Code Section 19.4(d). File 071518, Copy: Each Supervisor (6)

From California Legislative Senate Rules Committee, submitting notice of the Governor's appointment of G. Michael Sutton to the Fish and Game Commission. Copy: Each Supervisor (7)

From Christian Holmer, regarding an immediate disclosure request from the Mayor. 4 letters (8)

From Law Offices of Stephen M. Williams, submitting request for withdrawal of CEQA appeal for property located at 9 Douglass Street. File 080250, Copy: Each Supervisor (9)

From concerned citizens, commenting on the proposed commendation of Emeric Kalman by Supervisor Elsbernd. Copy: Each Supervisor (10)

From William J. Coburn, commenting on the proposed construction of a new ramp for the President's podium in the Board Chamber. File 080256, Copy: Each Supervisor (11)

From William Bruce, commenting on denial of stimulus payments to Supplemental Security Income (SSI) recipients. (12)

From concerned citizens, commenting on the current closures at St. Luke's Hospital. File 071556, 2 letters (13)

From concerned citizens, commenting on the Olympic torch relay coming to San Francisco. File 080345, Copy: Each Supervisor, 6 letters (14)

From Francisco Da Costa, submitting news articles from the Indypay.org website. 4 letters (15)

From Municipal Transportation Agency, regarding status on the possibility of installing vehicle speed reduction devices on 14th Avenue between Ulloa and Vicente Streets. (Reference 20080311-002) (16)

From Department of the Environment, regarding status on providing Urban Forest Council meeting schedules, agendas, attendance records, staffing support requirements, and budget information from January 2007 to March 2008. (Reference 20080318-001) (17)

From Office of the Controller, submitting report on three-year budget projection for general fund supported operations FY 2008-09 through FY 2010-11. Copy: Each Supervisor. (18)

From Department of Public Works, regarding the status on removing graffiti from newsstands at various locations in District 5. (Reference 20080129-002) (19)

From Shannon Seaberg, expressing concerns on the City's surveillance cameras. Copy: Each Supervisor (20)

From concerned citizen, submitting comments on MUNI fastpass. (21)

From State of California Fish and Game Commission, submitting notification of proposed emergency regulatory action relating to ocean salmon sport fishing. (22)

From Linda Hennessey, commenting on eradicating the invasive little brown apple moth. File 080311, Copy: Each Supervisor. (23)

From Pasta Pomodoro Restaurant, commenting on menu labeling at chain restaurants. File 071661, Copy: Each Supervisor. (24)

From concerned citizens, commenting on the Tibetan Freedom Torch and Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, 47 letters. (25)

From Horus Tolson, expressing concerns on various issues in the Hayes Valley. Copy: Each Supervisor. (26)

From Tom Lloyd-Butler, commenting on the Disability Access Projects. File 080346, Copy: Each Supervisor. (27)

From Linda Underwood, commenting on various issues and concerns. (28)

From Abdalla Megahed, expressing concerns regarding the homeless in the City and requesting assistance regarding a supervisor at 150 Otis who was allegedly abusive. (29)

From Abdalla Megahed, submitting a letter to Chief Heather Fong regarding her support to the homeless community. (30)

APPOINTMENT BY THE MAYOR

Taxi Commission
Min Paek
Paul Gillespie

Arts Commission
Ninive Calegari

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 8, 2008 2:00 PM
Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Duffy, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Duffy

Rules Committee

Supervisors Daly, Duffy, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

DOCUMENTS DEPT.

APR - 3 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 18, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4**Recommendation of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080238 [Appropriating \$261,757,569 of San Francisco Water Revenue Bonds for the San Francisco Public Utilities Commission Water System Improvement Program for Fiscal Year 2007-08]
Mayor
Ordinance appropriating \$257,205,000 of San Francisco Water Revenue Bonds, 2006 Series A, and deappropriating \$4,552,569 of Sunol Valley Water System Improvement Projects to support various projects under the Water System Improvement Program (WSIP) in the Public Utilities Commission for FY 2007-08.
(Fiscal Impact.)

4/1/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 080089 [Suspending Health Code Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance]
Supervisor Alioto-Pier
Ordinance amending the San Francisco Health Code by adding Section 34.10, to suspend Sections 34.4 and 34.6 of the Healthy Products, Healthy Children Ordinance.

4/1/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

3. 080351 [Changing the official sidewalk width - Mission Street]
Mayor
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1578 to change the official sidewalk width on the north side of Mission Street west of 3rd Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change; and approving a public access easement for a portion of Jessie Square.

4/1/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Ammiano, Elsbernd

4. 080135 [Settlement of Lawsuit - Mark Chambers]

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.
(City Attorney)

2/12/2008, PASSED ON FIRST READING.

2/26/2008, CONTINUED. Continued to March 11, 2008 to be heard in Closed Session

3/11/2008, CONTINUED. Continued to March 25, 2008

3/25/2008, CONTINUED. Continued to April 1, 2008

4/1/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance appropriating \$246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers Compensation Clinic at San Francisco General Hospital.

5. 080196 [Appropriating \$246,000 of General Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital]
Supervisors Mirkarimi, Ammiano, Daly
Ordinance appropriating \$246,000 from the General Fund Reserve to the Human Resources Department to fund the Workers' Compensation Clinic at San Francisco General Hospital for Fiscal Year 2007-2008.
(Supervisors Elsbernd and Chu dissented in committee.)
(Fiscal Impact.)

3/11/2008, PASSED ON FIRST READING.

3/18/2008, FINALLY PASSED.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on March 28, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before April 28, 2008.

Action: _____

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

6. 080299 [Airport Concession Lease with Pacific Gateway Concessions, LLC]
Resolution approving the Boarding Area "E" Candy Kiosk Lease between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

7. 080371 [Department of Human Resources contract for implementation of services]
Resolution approving the award and execution of a \$13,563,250 29-month contract by the City and County of San Francisco, through its Department of Human Resources, to CIBER, Inc., for implementation services to integrate the City's human resources and payroll functions.
(Human Resources Department)
(Supervisors Daly and Mirkarimi dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

8. 071001 [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]
Supervisor Ammiano
Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District]**Supervisors Mirkarimi, Ammiano**

Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)

3/4/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

3/18/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 071157 [Planning Code Amendments to implement the Market and Octavia Area Plan]

Supervisors Mirkarimi, McGoldrick

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts), Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of \$8 in the Van Ness Market Special Use District, \$4 in the Neighborhood Commercial Transit (NCT) district, and \$0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying \$30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying \$15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from

new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncoded Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

3/4/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee. Re-referred as amended to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan]

Supervisor Mirkarimi

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

(Economic Impact)

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 071464 [Zoning - Ordinance Creating the Excelsior Alcohol Restricted Use District]

Supervisors Sandoval, Peskin

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/30/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/13/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/20/2007, SUBSTITUTED. Supervisor Sandoval submitted substitute ordinance bearing new title.

3/25/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080237 [Zoning -Urgency Ordinance imposing an interim zoning moratorium on enterprises that sell tobacco paraphernalia]
Supervisor Sandoval
Urgency Ordinance imposing an interim zoning moratorium to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in all Commercial, Mixed Use and Industrial districts for 45 days and making findings, including findings of consistency with the Priority Policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

14. 080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]
Supervisors Mirkarimi, Ammiano
Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Peskin

15. 080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization]
Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, April 7, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 8, 2008.

16. 080263 [Lease of Real Property at 1740 Cesar Chavez Street]
Resolution authorizing a new lease of approximately 7,680 square feet at 1740 Cesar Chavez Street for the Department of Human Resources (DHR) for a term of five years.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

17. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

18. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 19 through 24

19. 080448 [Accept-Expend Grant - Juvenile Probation Department - \$62,500]
Supervisor Elsbernd
Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of \$62,500 from the Annie E. Casey Foundation to support juvenile justice reform activities at the Juvenile Probation Department.
- 4/1/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
20. 080449 [Commending Marc Randall]
Supervisor Chu
Resolution commending Marc Randall for his service and leadership in San Francisco through the Recreation and Parks Department.
- 4/1/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
21. 080450 [Commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center]
Supervisor Sandoval
Resolution commending the San Francisco Planning and Urban Research Association on the groundbreaking of SPUR's new Urban Center.
- 4/1/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
22. 080426 [Final Map - 4121 Cesar Chavez Street]
Motion approving Final Map 4812, a 6 Unit Residential Condominium Project, located at 4121 Cesar Chavez Street being a subdivision of Lot 052 in Assessors Block No. 6581 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,474; District 8.)
- 3/27/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

23. 080427 [Final Map - 2545 Judah Street]
Motion approving Final Map 4628, a Fifteen Unit Residential and Six Unit Commercial Condominium Project, located at 2545 Judah Street being a subdivision of Lot 051 in Assessors Block No. 1823 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,473; District 4.)

3/27/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

24. 080428 [Final Map - 1798 19th Avenue]
Motion approving Final Map 1747, a Three Residential Unit and Two Commercial Unit Mixed-Use Condominium Project, located at 1798 19th Avenue being a subdivision of Lot 015 in Assessors Block No. 2031 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,472; District 7.)

3/27/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

25. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from March 25, 2008 through March 31, 2008, for reference by President to appropriate committee on April 8, 2008.

None

PROPOSED RESOLUTIONS

Proposed resolutions received from March 25, 2008 through March 31, 2008, for reference by President to appropriate committee on April 8, 2008.

- 080332 [Security Services Contract Approval - Guardsmark LLC]
Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of \$21,100,370.
(Human Services Department)

3/4/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

3/25/2008, ASSIGNED to Budget and Finance Committee.

3/25/2008, SUBSTITUTED. Department of Human Services submitted a substitute resolution bearing new title.

080465 [Petitions and Communications]

Petitions and Communications received from March 25, 2008 through March 31, 2008 for reference by the President to April 8, 2008, part 1 (item 1 to 60)

From Office of the Treasurer/Tax Collector, submitting the Cash Difference and Overage Fund balance and activities reported for the month of February 2008. (1)

From Department of Public Health, submitting a monthly report on STD in San Francisco. (2)

From Office of the Treasurer, submitting portfolios on investment activities under the Treasurer's management for FY July 1, 2007 to February 29, 2008. (3)

From Neighborhood Parks Council, submitting support to Supervisor Daly's nomination of Ariel Braunstein to PROSAC as a representative of District 6. Copy: Each Supervisor. (4)

From concerned citizens, commenting on the Disability Access Projects for the Board of Supervisors Chamber. File 080346, Copy: Each Supervisor, 3 letters (5)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the San Francisco Zoo into a rescue facility. File 080031, Copy: Each Supervisor, 4 letters. (6)

From Mary Miles, submitting a public comment and requesting for continuance on the 55 Laguna Street Mixed Use Project. File 071001, 071002, 080319, Copy: Each Supervisor. (7)

From Mary Miles, submitting a request for continuance on the proposed legislation related to Market and Octavia Area Plan. File 071157, 071156, 080255, Copy: Each Supervisor. (8)

From concerned citizens, supporting the continuance on the proposed development of 55 Laguna Street Mixed Use Project. File 080211, Copy: Each Supervisor, 2 letters. (9)

From concerned citizens, submitting letters to Mayor Newsom commenting on the Tibetan Freedom Torch and the Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, Over 100 letters. (10)

From Jerry Voss, Ph.D., commenting on the City's vehicle regulations. (11)

From Kim Malcheski, submitting a letter to the Board of Permit Appeals opposing the 700 Valencia Street Project. (12)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's inquiry on feasibility of installing an "uphill traffic has right of way" sign for northwest traffic on Yerba Buena Street at Santa Paula Street. (Reference 20080212-007) (13)

From Clerk of the Board, regarding the Mayor's appointments to various Commissions. (14)

From Municipal Transportation Agency, regarding status on removing graffiti from various Department of Parking and Traffic/Municipal Transportation Agency properties in District 5. (Reference 20071211-009, 20080108-015, 20071204-019, 20080115-002, 20071023-007, 2071030-015) (15)

From Municipal Transportation Agency, regarding status on replacing a damaged residential parking sign at 1690 Page Street. (Reference 20071211-007) (16)

From Department of Public Work, regarding status on removing graffiti from various private properties located in District 5. (Reference 20080205-004) (17)

From Municipal Transportation Agency, regarding status on removing graffiti from various locations in District 5. (Reference 20071204-016, 20071204-017) (18)

From Municipal Transportation Agency, regarding status on replacing a faded and barely readable "STOP" sign at the 9th Avenue (west) exit of the parking lot located between 8th Avenue and 9th Avenue and Irving Street and Judah Street. (Reference 20070807-012) (19)

From Municipal Transportation Agency, regarding status on removing graffiti or repairing signs on various Department of Parking and Traffic properties located in District 5. (Reference 20071204-015) (20)

From Municipal Transportation Agency, submitting status on removing graffiti from several parking signs located in District 5. (Reference 20071023-008, 20071030-013) (21)

From Municipal Transportation Agency, submitting status on insulation of a stop sign at the intersection of Ridgewood Street and Joost Street. (Reference 20071204-002) (22)

From Municipal Transportation Agency, regarding status on removing graffiti from several traffic light poles located in District 5. (Reference 20071113-006) (23)

From Department of Public Works, regarding status on removing graffiti from various locations in District 5. (Reference 20080205-008, 20080205-005, 20080205-002, 20080205-006, 20080205-007) Supervisor Mirkarimi (24)

From Dr. Ahimsa Porter Sumchai, submitting public comment on the Tibetan Freedom Torch and Global Human Rights Torch Relay. File 080391. (25)

From Municipal Transportation Agency, regarding status on repairing/replacing damaged residential parking signs in District 5. (Reference 20080108-018) (26)

From Municipal Transportation Agency, submitting status on repairing street identification sign "Laguna" at the southeast corner of Laguna Street and Bush Street. (Reference 20070619-010) (27)

From Department of Public Work, regarding status on removing graffiti from several public properties located in District 5. (Reference 20080304-008) (28)

From John Kasper, commenting on possible bike lanes installation on Masonic Street. (29)

From Lawrence Maxwell, commenting on the tax issues in the City. Copy: Each Supervisor. (30)

From MTHOA/West of Twin Peaks Central Council, urging the Board to vote no on the Chambers vs. City and County of San Francisco. File 080300, Copy: Each Supervisor. (31)

From Dr. Ahimsa Porter Sumchai, commenting on the possibility of running for Supervisor in District 7. (32)

From Municipal Transportation Agency, regarding status on repairing and replacing the "STOP" sign and pole at the southeast corner of Belvedere Street and Waller Street. (Reference 20071113-010) (33)

From Municipal Transportation Agency, regarding status on removing graffiti from parking signs and poles at various locations in District 5. (Reference 20071113-008, 20071211-008, 20080108-016, 20071204-018, 20080115-001) (34)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's request on "uphill traffic has right of way" sign for northwest traffic on Yerba Buena Street at Santa Paula Street. (Reference 20080212-007) (35)

From Dr. Ahimsa Porter Sumchai, commenting on Tibetan Freedom Torch and Global Human Rights Torch Relay, and on various subjects. File 080391, Copy: Each Supervisor. (36)

From Ann Garrison, commenting on Columbus Day Holiday in the City. (37)

From Designing Accessible Communities, submitting concerns about Poesia Restaurant with no accommodations to people with disabilities. (38)

From Bjorn Joffe, commenting on an animal exhibit at the McBean and Walters Gallery. (39)

From Residential Rent Stabilization and Arbitration Board, submitting Rent Board Annual Report on Eviction Notices. Copy: Each Supervisor. (40)

From Department of Elections, regarding the Preparations for the April 8, 2008 Special Congressional Open Primary Election. (41)

From Department of Elections, regarding Department of Elections Emergency Plan for April 8, 2008 Election. Copy: Each Supervisor. (42)

From Mayor Newsom, regarding veto of Ordinance 080196. Copy: Each Supervisor. (43)

From Office of the City Administrator, submitting a 2008 review of applications finding report to the annual joint fundraising drive. File 080219. (44)

From California Legislature Senate Rules Committee, regarding Governor Schwarzenegger appointment of David Muraki of Lincoln as Director of the California Conservation Corps. Copy: Each Supervisor. (45)

From Disability Rights Advocates, commenting on the proposed closure of Buster's Place. Copy: Each Supervisor (46)

From Health Commission, submitting two resolutions regarding budget reductions adopted at the last two Health Commission meetings. (47)

From The Retired Employees of the City and County of San Francisco, submitting copy of letter to Bart Duncan, Executive Director of Health Service System regarding his resignation. (48)

From Department of Building Inspection, regarding status on questions and issues raised pertaining to code enforcement activities at 3224-3226 26th Street in the Mission District. (Reference 20080304-010) (49)

From Hattie Harris Good Spirits Club International, submitting National Thank You Day Proclamation of Appreciation to the San Francisco Board of Supervisors. Copy: Each Supervisor (50)

From Christian Holmer, regarding an immediate disclosure request from Mayor Newsom. 2 letters (51)

From Dr. Ahimsa Porter Sumchai, submitting copy of paper released by the American College of Physicians regarding research into the therapeutic role of marijuana. (52)

From Department of Human Services, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Civic Center. (53)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the zoo into a rescue facility. File 080031, Copy: Each Supervisor, 96 letters. (54)

From Department of Building Inspection, submitting copy of response to complaint from Designing Accessible Communities regarding access availability for persons with disabilities at 4072 18th Street. (55)

From Designing Accessible Communities, submitting response to Department of Building Inspection regarding access availability at Poesia Restaurant located at 4072 18th Street. (56)

From Francisco Da Costa, submitting news articles from the Indypay.org website. 4 letters. (57)

From Department of Public Works, submitting status on removing graffiti from private property in various locations in District 5. (Reference 20080226-005) Copy: Supervisor Mirkarimi. (58)

From Department of Public Works, submitting status on removing graffiti from public property at various locations in District 5. (Reference 20080318-004) Copy: Supervisor Mirkarimi. (59)

From Department of Public Works, submitting status on removing graffiti from phone switch boxes and mailboxes at various locations in District 5. (Reference 20080318-003) Copy: Supervisor Mirkarimi. (60)

080466

[Petitions and Communications, part 2]

Petitions and Communications received from March 25, 2008 through March 31, 2008 for reference by the President to April 8, 2008, part 2 (item 61 to 75)

From Laurra Maddock, commenting on the San Francisco Art Institute's video show "Don't Trust Me". (61)

From Nadja K. M. Adolf, commenting on global warming. (62)

From David Tucker, commenting on parking fees and fines. (63)

From Dr. Ahimsa Porter Sumchai, submitting public comment for the April 1, 2008 Municipal Transportation Agency Board of Directors hearing on the proposal to reduce speed limits on 19th Avenue. (64)

From Athan Rebelos, regarding the President of the Taxicab Commission. (65)

From Peterson Law Group, submitting an objection to the Mission/Bernal Formula Retail Restricted Use Subdistrict. File 0701561, Copy: Each Supervisor. (66)

From Kimo Crossman, regarding Sunshine Complaint against Clerk of the Board and staff for alleged refusal to provide documents electronically in PDF or fax format as requested. (67)

From Charles Sears II, regarding Farmers Market at Civic Center Plaza. Copy: Each Supervisor. (68)

From Henry Flowers, supporting the opposing closure of St. Luke's Hospital. File 071489, Copy: Each Supervisor. (69)

From concerned citizens, commenting on expansion of bike lanes. 2 letters. (70)

From Luke Swanhart, commenting on San Francisco Institute of Art films. (71)

From Peter Darbee, commenting on underground utilities works. (72)

From concerned citizens, commenting on Settlement of Lawsuits – Mark Chambers. File 080135, Copy: Each Supervisor. (73)

From San Francisco Taxi/Paratransit Community, urging the Board to approve Amendment to Paratransit Broker Agreement with ATM/Vancom. File 080150, Copy: Each Supervisor. (74)

From Tracie Mastronicola, submitting concerns on pesticide spraying of the Little Brown Apple Moth. File 080405. (75)

APPOINTMENTS BY THE MAYOR

Planning Commission
Ron Miguel

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 15, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the March 25, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition 1 in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

1. 080337 [Authorizing the Sheriff to execute contracts with the State]
Resolution authorizing the Sheriff's Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody.
(Sheriff)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

2. 071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District]
Supervisors Sandoval, Peskin
Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks and lots fronting both sides of Mission Street from Silver Avenue to the Daly City border; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/30/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/13/2007, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/20/2007, SUBSTITUTED. Supervisor Sandoval submitted substitute ordinance bearing new title.

3/25/2008, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Peskin

3. 080210 [Stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization]
Ordinance amending the Planning Code by adding Section 317 to stipulate Conditional Use or Mandatory Discretionary Review of any Building Permit applications that would eliminate existing dwelling units through mergers, conversions, or demolitions of residential units, and requiring certain affordability and soundness findings, with certain administrative exceptions allowed; making findings as to the need to preserve affordable housing in San Francisco, environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Planning Department)

4/8/2008, PASSED ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

4. 080370 [Appointment - Shelter Monitoring Committee - Chris Callandrillo]
Motion appointing Chris Callandrillo, term ending November 23, 2008, to the Shelter Monitoring Committee.
Chris Callandrillo, succeeding Diana Valentine, resigned, seat 3, must have experience providing direct services to the homeless through a community setting, for the unexpired portion of a two-year term ending November 23, 2008.

Question: Shall this Motion be APPROVED?

5. 080373**[Appointment - San Francisco Fair Lending Working Group]**

Motion appointing Jan Lynn Owgn, Leon Hunting, Heidi Mueller, Maeve Elise Brown, Kevin Stein, Ed Donaldson, Amanda Feinstein, Jon Ballesteros, Grace Mejia, Jane Duong, and Chris Oldag, terms ending July 1, 2009, to the San Francisco Fair Lending Working Group, residency requirement waived.

Jan Lynn Owgn, new appointment, seat 1, must be a representative of a financial institution/lending agency, for a term ending on July 1, 2009 (residency requirement waived).

Leon Hunting, new appointment, seat 2, must be a representative of the mortgage broker industry, for a term ending on July 1, 2009 (residency requirement waived).

Heidi Mueller, new appointment, seat 3, must be a representative of the real estate profession, for a term ending on July 1, 2009.

Maeve Elise Brown, new appointment, seat 4, must be a representative of a community-based organization focusing on foreclosure counseling and legal assistance, for a term ending on July 1, 2009 (residency requirement waived).

Kevin Stein, new appointment, seat 5, must be a representative of an advocacy organization, for a term ending on July 1, 2009.

Ed Donaldson, new appointment, seat 6, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Amanda Feinstein, new appointment, seat 7, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jon Ballesteros, new appointment, seat 8, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Grace Mejia, new appointment, seat 9, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Jane Duong, new appointment, seat 10, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009.

Chris Oldag, new appointment, seat 11, must be a representative of any of the following categories: a financial institution/lending agency, the mortgage broker industry, the real estate profession, a community-based organization focusing on foreclosure counseling and legal assistance, or other advocacy organization, for a term ending on July 1, 2009 (residency requirement waived).

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

6. 071001 [Zoning Map Amendments Associated with the Laguna, Haight, Buchanan and Hermann Streets Special Use District]
Supervisor Ammiano
Ordinance amending Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)
- 3/4/2008, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing the same title.
- 4/8/2008, AMENDED. 04/08/08 - Amended on page 2, line 6, after the words "Quality Act Findings," by adding the following "and dated April 8, 2008"; further amended on page 2, line 7, by replacing "File 080211" with "File 071001".
- 4/8/2008, PASSED ON FIRST READING AS AMENDED.
- Question: Shall this Ordinance be FINALLY PASSED?**
7. 071002 [Laguna, Haight, Buchanan and Hermann Streets Special Use District]
Supervisors Mirkarimi, Ammiano
Ordinance approving the Laguna, Haight, Buchanan, and Hermann Streets Special Use District (SUD) by amending the San Francisco Planning Code by adding Section 249.32 to create a new SUD bounded by Laguna, Haight, Buchanan and Hermann Streets (Assessor's Blocks 857 and portions of Assessor's Block 870) to permit a mixed-use project at the former UC Berkeley Extension property; and adopting findings, including findings under the California Environmental Quality Act.
(No Economic Impact)
- 3/4/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.
- 3/18/2008, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing the same title.
- 4/8/2008, PASSED ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?**

8. 080319 [General Plan Amendments for Assessors Block 857 and portions of Assessors Block 870 bound by Laguna, Haight, Buchanan and Hermann Streets]

Supervisors Mirkarimi, Ammiano

Ordinance amending the Market and Octavia Area Plan of the San Francisco General Plan to (1) reclassify the Use District on Block 857 from Public to Moderate Density Residential and reclassify the Use District on Block 870, Lots 1, 2 and the northern portion of Lot 3 from Public to Moderate Density Neighborhood Commercial; (2) amending the Market and Octavia Area Plan of the San Francisco General Plan to reclassify the Height District for Block 857, Lot 1A from 40 feet to 50 feet and to reclassify the Height District for Block 870, Lots 1 and 2 from 80 feet to 85 feet and Block 870, Lot 3 from 40 feet to 50 feet; (3) amending the Generalized Residential Land Use Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the generalized land use of Block 857 from Public/Open Space to Residential and of Block 870 from Public/Open Space to Mixed Use, predominantly Commercial/Industrial; (4) amending the Residential Density Plan of the 1990 Residence Element, the 2004 Housing Element, and of the Land Use Index to reclassify the residential density of Blocks 857 and 870 from Public and Heavy Industrial Areas to Moderately High Density; (5) adopting findings pursuant to the California Environmental Quality Act; and (6) adopting findings that the General Plan amendments are consistent with the eight priority policies of Planning Code Section 101.1.

4/8/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 071157 [Planting Code Amendments to implement the Market and Octavia Area Plan]
Supervisors Mirkarimi, McGoldrick

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of \$8 in the Van Ness Market Special Use District, \$4 in the Neighborhood Commercial Transit (NCT) district, and \$0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying \$30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying \$15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from

new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncoded Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

3/4/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee Re-referred as amended to the Land Use and Economic Development Committee.

4/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

4/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

10. 071159 [Zoning Map Amendment in connection with the Market and Octavia Area Plan]

Supervisor Mirkarimi

Ordinance amending Zoning Map Sheets 2, 2H, 2SU and 7, 7H, and 7SU of the City and County of San Francisco Planning Code to eliminate use districts and height and bulk districts within the Market and Octavia Plan Area; replacing them with revised use districts, height and bulk districts, and special use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

(Economic Impact)

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee.

4/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/8/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

11. 080219 [2008 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2008 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
- Question: Shall this Resolution be ADOPTED?
12. 080333 [Ten Year Capital Expenditure Plan 2009-2018]
Supervisor Elsbernd
Resolution adopting the City's ten year capital expenditure plan for fiscal years 2009-2018.
(City Administrator)
- Question: Shall this Resolution be ADOPTED?
13. 080362 [Amending a contract with anticipated expenditures in excess of \$10 million]
Resolution approving the Eleventh Amendment to the Agreement between the City and County of San Francisco (Purchaser) and Sunset Scavenger Company (Contractor) for sludge hauling, extending the term of the contract by 11 months to April 30, 2009 and increasing the total compensation to the Contractor by \$3 million, pursuant to San Francisco Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?
14. 080363 [Professional services agreement to provide professional engineering services]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by \$1,900,000, for a total revised agreement amount of \$13,900,000.
(Public Utilities Commission)
(Fiscal Impact.)
- Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

15. 080025 **[Liquor license transfer - 1237 Polk Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1415 Larkin Street to 1237 Polk Street (District 3), to Myles O'Reilly for McTeague's Saloon will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

16. 080405 **[Aerial spraying of pesticides to eradicate the Light Brown Apple Moth]**
Supervisors Mirkarimi, Ammiano
Resolution opposing aerial spraying over the City and County of San Francisco of pesticides designed to eradicate the Light Brown Apple Moth; urging the City Attorney to pursue legal strategies to oppose aerial spraying in San Francisco.

Question: Shall this Resolution be ADOPTED?

17. 080409 **[Urging safe approach to controlling Light Brown Apple Moth]**
Mayor, Supervisors Dufty, Ammiano
Resolution urging the State of California to make maximum use of safe and tested ground-based approaches to control the Light Brown Apple Moth; complete an environmental impact report prior to the inception of any aerial spray program; and ensure that the California EPA Office of Environmental Health Hazard Assessment conducts an independent human health risk assessment of any LBAM aerial spray program prior to its inception.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

18. 071596 [Audio or video recording of public meetings held in City Hall hearing rooms]
Supervisors Mirkarimi, Ammiano, Daly
Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 080278 [Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and correcting minor drafting errors]
Supervisor Daly
Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee With Recommendation "Do Not Pass"

Present: Supervisors Daly, Duffy

20. 071659 [Deletes the cap on the amount that an individual production can receive under the Rebate Program]
Supervisor Alioto-Pier
Ordinance amending Administrative Code Section 57.8 by repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City.
(Economic Impact)

3/11/2008, RE-REFERRED to Rules Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy

21. 071670 [Administrative fines for violation of City ordinances]
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

22. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 24 through 33

24. 080486 [Recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men]
Supervisors Sandoval, Ammiano, Dufty
Resolution recognizing San Jose State University for bringing awareness to the United States Food and Drug Administration's discriminatory policy on blood donations which singles out gay men.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
25. 080487 [Urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from the program since 2003, and expand the program to meet the increasing need]
Supervisor Dufty
Resolution urging the United States Congress to save the Commodity Supplemental Food Program (CSFP), restore the thousands of people cut from CSFP since 2003, and expand the program to meet the increasing need.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 080489 [Grant funds to support HIV prevention activities]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of \$44,408 with the Public Health Foundation Enterprises (PHFE), the primary contractor, to fund a project entitled "Reducing Sexual Risk among Episodic Substance Using MSM;" for the period of September 30, 2007 through September 29, 2008.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 080490 [Urging the California Legislature to pass Senate Bill 1066]
Supervisors Ammiano, Dufty
Resolution urging the California Legislature to pass Senate Bill 1066 and instructing the City's lobbyist to work toward this goal. This Bill eliminates discrimination based on age and sexual orientation, increases access to employer-provided health insurance for opposite-sex couples, and brings uniformity to domestic partner laws in California.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

- 28. 080491 [Supporting an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project]**
Supervisor Alioto-Pier
Resolution supporting a request for an independent analysis of the SFPUC's proposed "Combustion Turbine Peaker Project" to update the Cal-ISO/SFPUC 2004 Action Plan for San Francisco to a 2008 Action Plan that will include the 400 Megawatts provided by Transbay Cable, improvements in renewable energy technologies, municipal solar projects, transmission and reconductering upgrades and demand response.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 29. 080492 [Accept-Expend State Grant - Chief of Police - \$65,000]**
Supervisor Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$65,000.00 (Sixty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 30. 080493 [National Crime Victims' Rights Week - April 13-19, 2008]**
Supervisor Maxwell
Resolution proclaiming the week of April 13-19, 2008, as National Crime Victims' Rights Week.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 31. 080494 [1858 Black Exodus to Victoria, British Columbia]**
Supervisor Maxwell
Resolution expressing profound regret for the 1858 exodus of hundreds of Black residents of San Francisco to Victoria, British Columbia because of the legalized brutality and injustices that were visited upon them based upon such legislation as the 1850 Civil Practices Act, that disqualified Blacks from testifying against whites, the Fugitive Slave Act of 1852 and the proposed Assembly Bill 339 in 1858 that was "An Act to restrict and prevent the immigration to and residence in the State of Negroes and mulattos."
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
- 32. 080495 [Extending the Asthma Task Force Membership to June 30, 2011]**
Supervisor Maxwell
Resolution extending the Asthma Task Force Membership to June 30, 2011.
- 4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

33. 080496 [Supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project"]
Supervisor Alioto-Pier
Resolution supporting a fiscal feasibility study of the SFPUC's proposed "Combustion Turbine Peaker Project" as required under Section 29.1(c)(4) of the Administrative Code.

4/8/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda _____*

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 1, 2008 through April 7, 2008, for reference by President to appropriate committee on April 15, 2008.

- 080453** [Amending San Francisco Fire Code to add Express Plan Review service and fee]
Ordinance making environmental findings and amending Appendix Chapter 1, Section 112.9 of the San Francisco Fire Code to add an Express Plan Review service at the Fire Department and to establish a fee for that service.
(Fire Department)

4/1/2008, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/15/2008.

- 080454** [Settlement of Lawsuit - John Weatherspoon III]
Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al.
(City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker]

Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al.
(City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee

080456 [Settlement of Lawsuit - Jane Martin]

Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee

080457 [Settlement of Lawsuit - Margarita Hill]

Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al.
(City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080464 [Implementing a Deferred Retirement Option Program for certain members of the Police Department]

Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters.
(Retirement System)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 1, 2008 through April 7, 2008, for reference by President to appropriate committee on April 15, 2008.

080452 [Gift - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to \$300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco.
(Public Health Department)

4/2/2008, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

080458 [Settlement of Claim - Christopher L. Blackstock]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for \$40,000; claim was filed on September 13, 2007.
(City Attorney)

4/2/2008, RECEIVED AND ASSIGNED to Rules Committee.

080467 [Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007.
(Real Estate Department)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080468 [Lease of Real Property at 1360 Mission Street, Suite 401]

Resolution authorizing the Director of Property to exercise an Extension Option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008.
(Real Estate Department)

4/7/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080507 [Petitions and Communications]

Petitions and Communications received from April 1, 2008 through April 7, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on April 15, 2008

From Office of the Treasurer and Tax Collector, submitting a review of the Statement of Case and Investments as of September 30, 2007. (1)

From Planning for Elders, urging the Board to support the Chambers v. City and County of San Francisco settlement. File 080300, Copy: Each Supervisor. (2)

From concerned citizens, submitting a letter to Mayor Newsom commenting on the Tibetan Freedom Torch and the Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, 19 letters. (3)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the San Francisco Zoo into a rescue facility. File 080031, Copy: Each Supervisor, 20 letters. (4)

From Serena Bardell, Commenting on restaurant inspection regulations. (5)

From Department of Public Works, responding to an inquiry on potholes on Geneva Street, between Freeway 280 and Ocean Avenue. (6)

From San Francisco Public Library, submitting Branch Library Improvement Program's "2000 Branch Library Improvement Bond Quarterly Report" for the fourth quarter of 2007 (October-December 2007) (7)

From Municipal Transportation Agency, regarding the status on various projects in District 5. (Reference 20080115-001, 20080108-018) (8)

From Francisco Da Costa, submitting an article from www.indybay.org. (9)

From John Kasper, commenting on various issues and concerns. 2 letters. (10)

From Designing Accessible Communities, submitting letters to various department regarding Poesia Restaurant. 2 letters. (11)

From concerned citizens, urging the Board to support and fund for a LAFCo's approved Community Choice Energy Project, 2 letters. (12)

From State of California Fish and Game Commission, submitting a continuation notice of proposed regulatory action relating to the ocean salmon sport fishing. (13)

From Disability Rights Advocates, commenting on the closing of the resource center, Buster's Place. (14)

From Municipal Transportation Agency, regarding status on placement of a new shelter at the bus stop on the corner of Buchanan Street and Sutter Street located in District 5. (Reference 20080304-001) (15)

From Kimo Crossman, commenting on digital recording enhancements in San Francisco meetings/hearings. (16)

From concerned citizen, commenting on after shave and perfume in public places. (17)

From Eleanor Soto, submitting concerns about mid-year budget cuts. (18)

From Athan Rebelos, commenting on Paul Gillespie's reappointment as San Francisco Taxi Commissioner. 3 letters. (19)

From Civil Grand Jury, submitting a report to the public entitled "How many agencies does it take for San Francisco to throw a party?" Copy: Each Supervisor. (20)

From Kimo Crossman, commenting on Order of Determination: #08013-Kimo Crossman v. SOTF Administrator. (21)

From Building Inspection Commission, regarding Green Building Requirements Ordinance. File 080063, Copy: Each Supervisor. (22)

From Office of the Controller, submitting a Citywide Development Impact Fee Study – Consolidated Report. (23)

From concerned citizens, commenting issues and concerns about immigrations. 6 letters. (24)

From Library Users Association, submitting supports and comments on ordinance relating to audio and video recording of public meetings held in City Hall hearing rooms. File 071596. (25)

From Department of Public Health, submitting a status report on San Francisco Health Care Security Ordinance. (26)

From Office of the Controller, regarding status on verifying funds in the Mayor's Energy Conservation Account (MECA) and drafting an ordinance that would reserve funds in this account pending the clarification of fund used by the Board of Supervisors. (Reference 20080325-003) (27)

From Mary Miles, submitting public comment and request for continuance on proposed development of 55 Laguna Mixed Use Project. Copy: Each Supervisor. (28)

From Mary Miles, submitting request for continuance on proposed legislation on Market and Octavia Area Plan. Copy: Each Supervisor. (29)

From Mary Miles, submitting a notice of intent to appeal on Market-Octavia Re-zoning legislation. Copy: Each Supervisor. (30)

From Department of Public Works, regarding status on removing graffiti from utility poles at various location in District 5. (Reference 20080318-005) (31)

From Office of the Treasurer and Tax Collector, responding to an inquiry regarding issuing business registration certificates and regulatory licenses. 2 letters. (32)

From Municipal Transportation Agency, regarding status on synchronizing traffic lights on the intersection of Ocean Avenue and Junipero Serra Boulevard located in District 7. (Reference 20070807-016) (33)

From Barbara Gormely, submitting comments about Mayor Newsom's citywide greening initiative. 3 letters (34)

From Department of Public Works, responding to an inquiry about Mayor Newsom's citywide greening initiative. (35)

From concerned citizen, commenting on issues related to biofuels. (36)

From Isis Rodriguez, submitting concerns about garbage cans. (37)

From G.R. Burrell, commenting on various issues. (38)

From Designing Accessible Communities, regarding disability access dock on the Port of San Francisco facilities. (39)

From Ebenezer Missionary Baptist Church, submitting a proclamation request for Reverend Eugene Lumpkin, Jr. Copy- Each Supervisor. (40)

From concerned citizens, urging the Board to restore and maintain St. Luke's Hospital. File 071556, Copy- Each Supervisor. (41)

From Christina Beeher, submitting support for ordinance on prohibiting smoking in enclosed areas, certain unenclosed areas, and sport stadiums. File 080438. (42)

From California Manufactured Housing Institute, commenting on California Legislation Bill Number SB 538. (43)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 22, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the April 1, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

1. 071157 [Planning Code Amendments to implement the Market and Octavia Area Plan]
Supervisors Mirkarimi, McGoldrick

Ordinance amending the San Francisco Planning Code to implement the Market and Octavia Area Plan of the General Plan by amending Section 102.5 (District); Section 121.1 (Development on Large Lots, Neighborhood Commercial Districts); Section 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts); Section 124 (Basic Floor Area Ratio); Section 132 (Front Setback); Section 134 (Rear Yards); Section 135 (Usable Open Space For Dwelling Units and Group Housing); Section 144 (Treatment of Ground Story On Street Frontages); Section 145.1 (Street Frontages, Neighborhood Commercial Districts); Section 145.4 (Street Frontages Downtown and Mixed-Use Districts); Section 151.1 (Schedule of Required Off-Street Parking Spaces); Section 152. (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market); Section 153 (Rules for Calculation of Required Spaces); Section 154 (Minimum dimensions for required off-street parking, freight loading and service vehicle spaces); Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities); Section 156 (Parking Lots); Section 166 (Requirements for Provision of Car-Share Parking Spaces); Section 167 (Parking Costs Separated from Housing Costs in New Residential Buildings); Section 201 (Classes of Use Districts); Section 207.1. (Rules For Calculation Of Dwelling Unit Densities); Section 207.4 (Density of Dwelling Units in Neighborhood Commercial Districts); Section 208 (Density Limitations for Group Housing); Section 209.1-209.9 (Uses Permitted in RTO Districts); Section 234.2 (Requiring CU Authorization for specified uses in P Districts within the Market and Octavia Neighborhood Area); Section 253 (Review of Proposed Buildings and Structures Exceeding a Height of 40 Feet in R Districts); Section 270 (Bulk Limits: Measurement); Section 303 (Conditional Uses: Determination); Section 304 (Planned Unit Developments: Criteria and Limitations); Section 311 (Residential Permit Review Procedures for RH and RM Districts: Applicability); Section 315 (Inclusionary Housing requirements) including adding a fee on new residential development in the Plan Area in addition to the existing inclusionary housing requirements in a per square foot amount of \$8 in the Van Ness Market Special Use District, \$4 in the Neighborhood Commercial Transit (NCT) district, and \$0 in the Transit-Oriented Residential (RTO) district; Section 316 (Procedures for Conditional Use Authorization in Neighborhood Commercial and South of Market Districts and for Live/Work Units in RH, RM, and RTO Districts); Section 603 (Exempted Signs); Section 606 (Residential Districts); Section 702.1 (Neighborhood Commercial Use Districts); Section 720.1 (Hayes-Gough Neighborhood Commercial Transit District) to conform these sections with the new VNMDR-SUD, NCT and RTO district controls; and adding new zoning districts and a new special use district including Section 121.5 to establish controls for Development on Large Lots in Residential Districts; Section 121.6 to restrict lot mergers in residential districts and on pedestrian-oriented streets; Section 158.1 related to Non-accessory Parking Garages in NCT and RTO Districts and the Van Ness and Market Downtown Residential Special Use District; Section 206.4 to establish the Transit-Oriented Residential District (RTO); Section 207.6 related to Required Minimum Dwelling Unit Mix and Unit Subdivision Restrictions in RTO and NCT Districts; Section 207.7 relating to Restrictions on Demolition, Conversion, and Merger of Existing Dwelling Units in RTO and NCT Districts; Section 230 establishing Limited Corner Commercial Uses in RTO Districts; Section 249.33 to establish the Van Ness and Market Downtown Residential Special Use District (VNMDR-SUD) including providing that projects in the VNMDR-SUD may exceed allowable Floor Area Ratio (FAR) up to a certain ratio by paying \$30 per gross square foot into the Citywide Affordable Housing Fund but not by acquiring Transferable Development Rights (TDRs); and providing that projects may further exceed FAR limits above a site FAR of 9:1 by paying \$15 per additional gross square foot into the Van Ness and Market Neighborhood Infrastructure Fund; Section 249.34 to establish the Fulton Street Grocery Store Special Use District; Section 261.1 related to Additional Height Limits for Narrow Streets and Alleys in RTO and NCT Districts; Section 263.18 creating a Special Height Exception: Additional Five Feet Height for Ground Floor uses in NCT 40-X and 50-X Height and Bulk Districts; Section 263.20 Special Height Exceptions: Fulton Street Grocery Store Special Use District 40-X/50-X Height District; Sections 326-326.8 establishing the Market and Octavia Community Improvements Fee and Fund including community improvement fees of \$10 per square foot for certain new residential and \$4 per square foot for certain new commercial developments, and a springing fee for transit and parking impacts with a maximum fee of \$9 per square foot for transit impacts from residential development and \$5 per square foot for impacts from

new parking spaces; Sections 341-341.4 establishing a Better Neighborhoods Area Plan Monitoring Program; Sections 731 and 731.1 creating an NCT-3 Moderate-Scale Neighborhood Commercial Transit District; Sections 732 and 732.1 creating the Upper Market Street Neighborhood Commercial Transit District; adding an uncoded Section 4 adopting procedures for treatment of historic resources in the Plan Area; and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

3/4/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

3/4/2008, RE-REFERRED to Land Use and Economic Development Committee. Re-referred as amended to the Land Use and Economic Development Committee.

4/8/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

4/8/2008, PASSED ON FIRST READING AS AMENDED.

4/15/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/15/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

2. 071596 [Audio or video recording of public meetings held in City Hall hearing rooms]

Supervisors Mirkarimi, Ammiano, Daly

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

4/15/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 080278 [Clarifying when the Ethics Commission must raise the individual expenditure ceiling in the partial public financing program for candidates for Mayor and the Board of Supervisors, and correcting minor drafting errors]
Supervisor Daly
Ordinance amending Sections 1.108, 1.134.5, and 1.144 of the Campaign and Governmental Conduct Code, to clarify when the Executive Director of the Ethics Commission shall raise the Individual Expenditure Ceiling for a candidate for Mayor or the Board of Supervisors and to make technical corrections.

4/15/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy

4. 071670 [Administrative fines for violation of City ordinances]
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.16, to establish a procedure for the enforcement, collection, and administrative review administrative fines imposed for violation of City ordinances.

4/15/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

5. 080332 [Security Services Contract Approval - Guardsmark LLC- \$21,100,370]
Resolution approving the contract between the City and County of San Francisco and the Guardsmark LLC to provide security services to the Human Services Agency for the period from May 1, 2008 to April 30, 2013, in the amount of \$21,100,370.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Elsbernd, Daly, Chu

6. 080444 [Appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

7. 080359 [Appropriating \$6,593,103 for Officer Training, Inmate Housing Cost Overruns, and Compensatory Time Off for the Sheriff and Public Health Departments for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$323,886 of General Fund and appropriating \$600,000 of Sheriff Inmate Program Beginning Fund Balance, \$269,044 of Peace Officer Training funds, and \$5,400,173 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department, and jail health services in the Department of Public Health for a total appropriation of \$6,593,103 for Fiscal Year 2007-2008.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 080392 [Approval of the amendment of the Mental Health Services Act (MHSA) Agreement]
Resolution approving the amendment of the MHSA Agreement to include the MHSA Housing budget of \$9,877,600 comprised of the MHSA Housing allocation of \$7,714,400 and One-Time Augmentation to the MHSA Community Services and Supports of \$2,163,200 and the assignment of these funds to CalHFA for investing in appropriate investment vehicles, underwriting of capital loans, determination of operating subsidies, disbursement of funds to approved housing developments, and continued monitoring of the project development.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

9. 080396 [Apply For-Accept-Expend Federal Funding - HOME Program]
Resolution approving the 2008/09 HOME Investment Partnership (HOME) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 HOME Program entitlement from the U.S. Department of Housing and Urban Development (HUD), totaling \$7,740,804.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Mirkarimi, Daly, Chu

10. 080394 [Apply For-Accept-Expend Federal Funding - Community Development Block Grant]
Resolution approving the 2008/09 Community Development Block Grant (CDBG) Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) together with Program Income and Reprogrammed Funds, totaling \$22,617,052.
(Mayor)

Question: Shall this Resolution be ADOPTED?

11. 080395 [Apply For-Accept-Expend Federal Funding - Emergency Shelter Grants Program]
Resolution approving the 2008/09 Emergency Shelter Grant (ESG) Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's 2008/09 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$944,908.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

12. 071531 [Amending the Planning Code to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District and making related Zoning Map Amendments]
Supervisor Sandoval
Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080279 [Landmark Designation of 900 Innes Avenue (Shipwright's Cottage)]
Supervisor Maxwell
Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080393 [Street Artist Winter Holiday Spaces]
Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

15. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

3/25/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to April 22, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

16. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008

Question: Shall this Motion be APPROVED?

17. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008

Question: Shall this Motion be APPROVED?

18. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, April 21, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, April 22, 2008.

19. 080481 [Settlement of Lawsuits - M-J SF Investments, LLC - \$5,163]
Supervisor Peskin
Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for \$5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

21. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 22 through 35

22. 080530 [Commending the Neighborhood Arts Program and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco]
Supervisors Mirkarimi, Duffy
Resolution commending the Neighborhood Arts Program on the occasion of its 40th anniversary and proclaiming May 3, 2008 Neighborhood Arts Day in San Francisco.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
23. 080531 [Supporting the Arts in California State Assembly Bill AB 2728]
Supervisor Ammiano
Resolution supporting the Arts in California State Assembly Bill AB 2728 to fully fund the California Arts Council.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
24. 080532 [Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]
Supervisors Sandoval, Ammiano
Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

25. 080533 [Requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Salari on April 9, 2008]
Supervisors Sandoval, Duffy
Resolution requesting the Mayor, Chief of Police and the Mayor's Office of Criminal Justice to offer a reward for information leading to the arrest and conviction of the person(s) responsible for the homicide of Luis Salari on April 9, 2008.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
26. 080534 [Armenian Genocide Commemoration Day - April 24, 2008]
Supervisors Peskin, Maxwell, McGoldrick, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi, Daly, Duffy, Sandoval, Chu
Resolution declaring April 24, 2008 as Armenian Genocide Commemoration Day in San Francisco.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
27. 080535 [San Francisco Symphony "Adventures in Music Day" - April 18, 2008]
Supervisor Duffy
Resolution declaring April 18, 2008 "Adventures in Music Day" in San Francisco.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
28. 080536 [Authorizing application to State Infill Infrastructure Grant Program]
Supervisor McGoldrick
Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Infill Infrastructure Grant Program; the execution of a Standard Agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Infill Infrastructure Grant Program.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
29. 080537 [Declaring May 4, 2008 "People Paddle for AIDS Day"]
Supervisor Daly
Resolution commending People Paddle for their efforts in raising awareness, funding, and offering services to those with AIDS and hereby declare May 4, 2008, "People Paddle for AIDS Day."

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

30. 080538 [Opposition to California State Initiative 07-0094, the Runner Initiative]
Supervisors Daly, Peskin, Ammiano, Mirkarimi
Resolution expressing opposition to Initiative 07-0094, the Runner Initiative, a proposed ballot measure that would shift state resources from education, crime and violence prevention toward increased incarceration of youth and young adults from low income communities of color with limited opportunities for education, employment and rehabilitation.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 080539 [Approval of a second 120-day extension for Planning Commission review]
Supervisor Daly
Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 080497 [Final Map - 3401 - 3415 Taraval Street]
Motion approving Final Map 4703, a 6 Unit Residential and 1 Unit Commercial Condominium Project, located at 3401 – 3415 Taraval Street being a subdivision of Lot 001 in Assessors Block No. 2381 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)
(DPW Order No. 177,491; District 4.)

4/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

33. 080498 [Final Map - 3620 19th Street]
Motion approving Final Map 4269, a 39 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 3620 19th Street being a subdivision of Lot 018, 068, and 070 in Assessors Block No. 3587 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 177,492; District 8.)

4/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 080499 [Final Map - 8 McLea Court]

Motion approving Final Map 3594, a 29 Unit Residential Condominium Project, located at 8 McLea Court being a subdivision of Lot 142 in Assessors Block No. 3757 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order No. 177,490; District 6.)

4/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

35. 080500 [Final Map - 1350 - 1354 Stevenson Street]

Motion approving Final Map 4270, a Six Unit Residential Condominium Project, located at 1350 - 1354 Stevenson Street being a subdivision of Lot 037A in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order No. 177,489; District 6.)

4/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

36. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 8, 2008 through April 14, 2008, for reference by President to appropriate committee on April 22, 2008.

080509 [Settlement of Lawsuit - Debra Denise Reed- \$65,000]

Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for \$65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al..
(City Attorney)

4/9/2008, RECEIVED AND ASSIGNED to Rules Committee.

080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]

Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker.
(City Attorney)

4/9/2008, RECEIVED AND ASSIGNED to Rules Committee.

080512 [Hunters Point Shipyard - Street Vacation Order]

Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

4/10/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 8, 2008 through April 14, 2008, for reference by President to appropriate committee on April 22, 2008.

080511 [Hunters Point Shipyard - Resolution of Intent for Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate portions of Innes Avenue, Galvez Avenue and Donahue Street, in Hunters Point Shipyard Parcel "A1" along with public service easements that may exist in Parcel A1, all of Navy Road on Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcel A2; vacate any easements that may exist between the vacated areas in Parcel "A1" and "A2" as described in Ordinance No. 24-05; reserve a non-exclusive easement for the City combined sewer pipeline and appurtenant facilities within Navy Road; setting a hearing date of for all persons interested in the proposed vacation of said street areas and public service easements.
(Public Works Department)

4/10/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080540 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to increase its contract amount to \$36 million]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$25 million to \$36 million.
(Office of Contract Administration)

4/11/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080541 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to raise the contract amount to exceed \$49 million]

Resolution authorizing the Office of Contract Administration to enter into the Eighth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$35 million to \$49 million.
(Office of Contract Administration)

4/11/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080542 [Authorizing the Office of Contract Administration to amend its contract with Micromenders/GC Micro to increase the contract amount to \$25 million]

Resolution authorizing the Office of Contract Administration to enter into the Sixth amendment between the City and Micromenders/GC Micro (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's amount to \$25 million.
(Office of Contract Administration)

4/11/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080543 [Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to \$70 million]

Resolution authorizing the Office of Contract Administration to enter into the Tenth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$51 million to \$70 million.
(Office of Contract Administration)

4/11/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080544 [Approve SOMA Community Stabilization Fund Strategic Plan]**
Resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan.
(Mayor)

4/14/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080547 [Petitions and Communications]

Petitions and Communications received from April 8, 2008 through April 14, 2008 for reference by the President to April 22, 2008.

From Fire Department, submitting a waiver request to the Human Rights Commission to rent meeting space at the Cathedral Hill Hotel for the H-20 Lieutenant examination. (1)

From Mayor's Office of Criminal Justice, submitting a notice of Grant Budget Revision of Project Gun Stop Program. (2)

From Mid-Town Terrace Home Owners Association, urging the Board not to agree on the Chambers v. City and County of San Francisco settlement. File 080300 (3)

From Office of the Controller, submitting the San Francisco Police Department's Foot Patrol Program Evaluation Report. Copy: Each Supervisor (4)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests from: (5)

Aaron Peskin, Member, Board of Supervisors
Bevan Dufty, Member, Board of Supervisors
Carmen Chu, Member, Board of Supervisors
Chris Daly, Member, Board of Supervisors
Gerardo Sandoval, Member, Board of Supervisors
Jake McGoldrick, Member, Board of Supervisors
Ross Mirkarimi, Member, Board of Supervisors
Sean Elsbernd, Member, Board of Supervisors
Sophenia Maxwell, Member, Board of Supervisors
Tom Ammiano, Member, Board of Supervisors
Angela Calvillo, Clerk of the Board

Andrew Hayward, Legislative Aide to Supervisor Dufty
Boris Delepine, Legislative Aide to Supervisor Mirkarimi
Camelin Blackstone, Legislative Aide to Supervisor Elsbernd
Catherine McManus, Legislative Aide to Supervisor Dufty
Catherine Stefani, Legislative Aide to Supervisor Alioto-Pier
Colleen Crowley, Legislative Aide to Supervisor Chu
David Noyola, Legislative Aide to Supervisor Peskin
Emily Rogers, Legislative Aide to Supervisor Maxwell
Eric Alvarez, Legislative Aide to Supervisor Alioto-Pier
John Avalos, Legislative Aide to Supervisor Daly
Jonathan Lau, Legislative Aide to Supervisor Maxwell
Nicolas King, Legislative Aide to Supervisor Dufty
Nicolas Kinsey, Legislative Aide to Supervisor Sandoval
Pilar Schiavo, Legislative Aide to Supervisor Ammiano
Pooja Jhunjunwala, Legislative Aide to Supervisor McGoldrick
Rachel Redondiez, Legislative Aide to Supervisor Daly
Rebekah Krell, Legislative Aide to Supervisor Elsbernd
Regina Dick-Endrizzi, Legislative Aide to Supervisor Mirkarimi
Rose Chung, Legislative Aide to Supervisor Peskin
Sarah Ballard, Legislative Aide to Supervisor Alioto-Pier
Stephanie Tucker, Legislative Aide to Supervisor McGoldrick
Zachary Tuller, Legislative Aide to Supervisor Ammiano

Gabriel Cabrera, Legislative Analyst
Rachel Force, Legislative Analyst

Arthur Louie, Budget Analyst
Debra Newman, Budget Analyst
Harvey Rose, Budget Analyst
Pedro Rodriguez, Budget Analyst
Stanton Jones, Budget Analyst

Dawn Duran, Administrator, Assessment Appeals Board
Erasmus Vazquez, IT Administrator III
Frank Darby, Records & Information Manager
Kathleen Gulbengay, Deputy Director II
Madeleine Licavoli, Deputy Director II
Michael Stover, Special Assistant XII
Nilka Julio, Deputy Director II
Ohn Myint, Senior Accountant, Board of Supervisors

Erica Craven, Member, Sunshine Ordinance Task Force
Hanley Chan, Member, Sunshine Ordinance Task Force
Harrison Sheppard, Member, Sunshine Ordinance Task Force
Nicholas Goldman, Member, Sunshine Ordinance Task Force
Richard Knee, Member, Sunshine Ordinance Task Force

Jennifer Gore, Attorney, LAFCo
Madeline Miller, Attorney, LAFCo
Nancy Miller, Attorney/Interim Executive Officer, LAFCo

Alec Lambie, Member, Assessment Appeals Board
Arthur Tome, Member, Assessment Appeals Board
David Wilbur, Member, Assessment Appeals Board
Diane Robinson, Member, Assessment Appeals Board
Donna Crowder, Member, Assessment Appeals Board
Hayes Miles, Member, Assessment Appeals Board
Jeffrey Morris, Member, Assessment Appeals Board
John McGary, Member, Assessment Appeals Board
Joseph Tham, Member, Assessment Appeals Board
Lawrence Lee, Member, Assessment Appeals Board
Louisa Mendoza, Member, Assessment Appeals Board
Margaret Ruxton, Member, Assessment Appeals Board
Mervin Conlan, Member, Assessment Appeals Board
Stephen Wasserman, Member, Assessment Appeals Board

From concerned citizens, submitting letters to Mayor Newsom commenting on the Tibetan Freedom Torch and the Global Human Rights Torch Relay. File 080391, Copy: Each Supervisor, 16 letters. (6)

From concerned citizens, urging the Board to implement the Animal Control and Welfare Commission's recommendation to transition the San Francisco Zoo into a rescue facility. File 080031, Copy: Each Supervisor, 4 letters. (7)

From concerned citizens, urging the Board to support the proposed amendment of the "Scene in San Francisco" Rebate Program. File 071659, Copy: Each Supervisor, 9 letters. (8)

From Pat Marriott, commenting on the San Francisco Zoo. File 080031, Copy: Each Supervisor. (9)

From Department of Public Works, responding to an inquiry related to residential garbage and recycling bins. (10)

From concerned citizens, submitting comments regarding the Olympic Torch Relay, 18 letters. (11)

From concerned citizens, urging the Board to vote no on the Chambers v. City and County of San Francisco settlement. File 080300, 2 letters. (12)

From San Francisco Development Agency, submitting financial and performance reports for the year ended June 30, 2007. (13)

From Lavon Taback, submitting objection to the 55 Laguna Street Mixed Use Project. File 080211, Copy: Each Supervisor. (14)

From Robin Levitt, urging the Board to adopt the Market and Octavia Neighborhood Plan. File 07560, Copy: Each Supervisor. (15)

From Planning Department, submitting a Certificate of Determination for Exemption from Environmental Review. File 080095. (16)

From Cynthia Servetnick, commenting on the Market and Octavia Neighborhood Plan. File 07560, Copy: Each Supervisor. (17)

From Alvin Johnson, commenting on concerns about various subjects related to City employment discrimination, 2 letters. (18)

From Michael Scally, commenting on Proposition H. (19)

From Office of the Clerk of the Board, submitting sole source contracts for FY 2006-2007. (20)

From Office of the Treasurer, submitting portfolios on investment activities under the Treasurer's management for FY July 1, 2007 to March 31, 2008. (21)

From Mark Adcock, commenting on Wi-Fi services. (22)

From Steve Bentley, commenting on light pollution. (23)

From Kimo Crossman, urging the Board to eliminate City employment positions with salaries exceeding \$150,000. (24)

From Lost and Found Tenant Assn., commenting on various issues and concerns, 2 letters. (25)

From McAllister Tower Tenants' Association, commenting on exhaust ventilation at 1750 McAllister. (26)

From concerned citizens, submitting concerns and comments on earthquake safety and preparations, Copy: Each Supervisor, 2 letters. (27)

From concerned citizens, commenting on 2008 Beijing Olympics, 2 letters. (28)

From Port of San Francisco, submitting CEQA Administrative Record – Trans Bay Cable Project. (29)

From Department of Public Works, submitting a Quarterly Report of the Department of Public Works-Defective Sidewalk Repair Revolving Account. (30)

From Francisco Da Costa, submitting articles from www.indybay.org, 2 letters (31)

From Mercury Starcruiser, commenting on concerns regarding immigration. (32)

From Linda Hennessey, submitting a letter to Supervisor Mirkarimi regarding the little brown apple moth, File 080409, Copy: Each Supervisor. (33)

From Dr. Ahimsa Porter Sumchai, submitting concerns about the proposed power plants in southeast San Francisco. (34)

From Kimo Crossman, submitting a Sunshine Complaint against Angela Calvillo, Clerk of the Board and staff for alleged refusal to provide for paper document requested electronically or fax format. 2 letters (35)

From Diane Rivera, urging the Board not to close Clarendon Hall and not to discharge current Laguna Honda residents. File 080185, Copy: Each Supervisor. (36)

ADJOURNMENT





BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, April 29, 2008 2:00 PM

DOCUMENTS DEPT.

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ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM



Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

1. 080435 [Funds to support Department of Public Health Emergency Preparedness - \$468,469]
Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$468,469 from the California Department of Public Health (CDPH) Emergency Preparedness Office, to fund the Hospital Preparedness Program; for the period of September 1, 2007 through August 8, 2008.

Question: Shall this Resolution be ADOPTED?

2. 080439 [Grant to fund rapid HIV tests in San Francisco - \$781,839]**Supervisor Duffy**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new three-year grant from the California Department of Public Health (CDPH) in the amount of \$731,070, including a retroactive contract with University of California – San Francisco (UCSF) which includes a 12 percent contingency for a total of \$781,839 to support the project entitled “Expanded and Integrated Human Immunodeficiency Virus (HIV) Testing of Populations Disproportionately Affected by HIV (Primarily African Americans);” for the period of October 1, 2007 through September 30, 2010.

Question: Shall this Resolution be ADOPTED?

3. 080440 [Grant to support technical assistance for an HIV/AIDS project - \$215,928]**Supervisor Duffy**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a new grant from the Bill and Melinda Gates Foundation in the amount of \$215,928, including a retroactive contract with Public Health Foundation Enterprises, Inc. (PHFE) in the amount of \$207,198, for the “China MSM: Technical Assistance” project; for the period of January 1, 2008 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

4. 080452 [Gift of up to \$300,000 - private, Department of Public Health]

Resolution authorizing the Department of Public Health, Community Behavioral Health Services to retroactively accept a gift of Buprenorphine medication from Reckitt Benkiser Pharmaceuticals with a monetary value of up to \$300,000 for the period of March 1, 2008 through August 31, 2008 for ongoing and new patients receiving Opiate Replacement Treatment in San Francisco.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

5. 080476 [Grant funds to support nutrition services - \$343,000]**Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a three-year grant in the amount of \$343,000 from the Vitamin Cases Consumer Settlement Fund to support the “Women’s Nutritional Awareness Project,” for the period of July 1, 2008 through June 30, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

6. 080458 [Settlement of Claim - Christopher L. Blackstock- \$40,000]

Resolution approving the settlement of the unlitigated claim filed by Christopher L. Blackstock against San Francisco for \$40,000; claim was filed on September 13, 2007.
(City Attorney)

Question: Shall this Resolution be ADOPTED?



7. 080378 **[Appointment - Sweatfree Procurement Advisory Group- Jaime Crook]**
Motion appointing Jamie Crook, term ending December 17, 2009, to the Sweatfree Procurement Advisory Group.
Jamie Crook, succeeding Christina Martinez, term expired, seat 4, must be member of the public, for the unexpired portion of a two-year term ending December 17, 2009.
- Question: Shall this Motion be APPROVED?**
8. 080429 **[Appointments - In-Home Supportive Services- Alice Wong, Sharon Brunn and Rosie Byers]**
Motion appointing Alice Wong, Sharon Brunn and Rosie Byers, terms ending March 1, 2011, to the In-Home Supportive Services Public Authority.
Alice Wong, succeeding herself, term expired, seat 13, must be consumer at-large who is 18 years of age or older, for term ending March 1, 2011.
Sharon Brunn, succeeding herself, term expired, seat 3, must be consumer at-large over the age of 55, for term ending March 1, 2011.
Rosie Byers, succeeding herself, term expired, seat 12, must be member representing the bargaining unit of the union that represents IHSS independent providers, for term ending March 1, 2011.
- Question: Shall this Motion be APPROVED?**
9. 080432 **[Appointments - Bicycle Advisory Committee- Mark Hostenpiller and Jake Wegmann]**
Motion appointing Mark Hostenpiller and Jake Wegmann, terms ending November 19, 2008, to the Bicycle Advisory Committee.
Mark Hostenpiller, succeeding Francisco Hernandez, term expired, seat 9, must be a nominee of District 9 Supervisor. The member must serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008.
Jake Wegmann, succeeding Hitesh Soneji, term expired, seat 6, must be a nominee of District 6 Supervisor. The member must serve a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, for term ending November 19, 2008.
- Question: Shall this Motion be APPROVED?**
10. 080433 **[Appointments - Commission on the Aging Advisory Council- Lila McCarthy and Anna Maria Pierini]**
Motion appointing Lila McCarthy and Anna Maria Pierini, terms ending March 31, 2010, to the Commission on the Aging Advisory Council, residency requirement waived.
Lila McCarthy, succeeding herself, term expired, seat 1, must be nominee of District 2 Supervisor, for a two-year term ending March 31, 2010.
Anna Maria Pierini, succeeding herself, term expired, seat 4, must be nominee of District 3 Supervisor, for a two-year term ending March 31, 2010 (residency requirement waived).
- Question: Shall this Motion be APPROVED?**
11. 080454 **[Settlement of Lawsuit - John Weatherspoon III- \$5,150,000.00]**
Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

12. 080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- \$70,000.00]
Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 080456 [Settlement of Lawsuit - Jane Martin- \$75,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
14. 080457 [Settlement of Lawsuit - Margarita Hill- \$55,000]
Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al.]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____



REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

16. 080359 [Appropriating \$6,593,103 for Officer Training, Inmate Housing Cost Overruns, and Compensatory Time Off for the Sheriff and Public Health Departments for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$323,886 of General Fund and appropriating \$600,000 of Sheriff Inmate Program Beginning Fund Balance, \$269,044 of Peace Officer Training funds, and \$5,400,173 of General Fund Reserve for peace officer training and cost overruns related to inmate housing and Compensatory Time Off in the Sheriff's Department, and jail health services in the Department of Public Health for a total appropriation of \$6,593,103 for Fiscal Year 2007-2008.
(Fiscal Impact.)

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Elsbernd, Daly, Chu

17. 080444 [Appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$275,237 of Beginning Fund Balance for Grievance Arbitration Expenses and Workers' Compensation Settlement Costs in the War Memorial for Fiscal Year 2007-2008.
(Fiscal Impact.)

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

18. 080481 [Settlement of Lawsuits - M-J SF Investments, LLC - \$5,163]

Supervisor Peskin

Ordinance authorizing settlement of two lawsuits filed by M-J SF Investments, LLC, against the City and County of San Francisco for \$5,163 in costs to the City and County of San Francisco; the first lawsuit was filed on April 6, 2006, in San Francisco Superior Court, Case No. CGC-06-451001; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; the second lawsuit was filed on September 21, 2007, in San Francisco Superior Court, Case No. CPF-07-507496; entitled M-J SF Investments, LLC, et al., v. City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 080481.

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

19. 071531 [Amending the Planning Code to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District and making related Zoning Map Amendments]

Supervisor Sandoval

Ordinance amending San Francisco Planning Code Sections 249.35, 711, and 712 to include properties in the proposed Excelsior Alcohol Restricted Use District in the Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions, including properties in the Assessor's Blocks fronting on both sides of Mission Street from Silver Avenue to the Daly City border; amending Special Use District Maps Numbers SU11 and SU12 of the Zoning Map of the City and County of San Francisco to define the boundaries of the Fringe Financial Service Restricted Use District; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 080279 [Landmark Designation of 900 Innes Avenue (Shipwright's Cottage)]

Supervisor Maxwell

Ordinance designating 900 Innes Avenue (Shipwright's Cottage) as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

4/22/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?



NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

21. 071294 [Climate change goals and action plan]
Supervisor Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

22. 080485 [General Obligation Refunding Bonds]
Mayor
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco General Obligation Refunding Bonds and authorizing the preparation, execution and delivery of a final official statement; acknowledging the receipt of certain information relating to such Refunding Bonds; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

23. 071674 [Zoning - Amend Superseded Height and Bulk Provisions in the North Beach NCD]
Supervisor Peskin
Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?



Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

24. 080423 [Appointment, Planning Commission - Ron Miguel]

Motion approving the Mayor's appointment of Ron Miguel to the Planning Commission term ending June 30, 2008.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - March 25, 2008.)

Question: Shall this Motion be APPROVED?

25. 080430 [Confirming the reappointment of Thomas Mazzucco to the San Francisco Police Commission] Mayor

Motion confirming the Mayor's nomination of, and reappointing, Thomas Mazzucco to the San Francisco Police Commission for a four-year term ending April 30, 2012.

(Section 4.109 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - March 28, 2008.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 4:00 P.M.*****APPEAL PROCEDURES***

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

26. 070967 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)
(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

7/24/2007, CONTINUED. The President inquired as to whether any member of public wished to address the Board Members.
Continued to September 11, 2007

9/11/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to October 16, 2007

10/16/2007, CONTINUED. The President of the Board inquired as to whether any member of the public wished to address the Board members.
Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to January 15, 2008

1/15/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.
Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

Action: _____

(Only one of the following two motions should be approved.)

27. 070968 **[Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

Question: Shall this Motion be APPROVED?

28. 070969 [Minor Sidewalk Encroachment Permit Appeal for 1166 Haight Street]
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

7/24/2007, CONTINUED. Continued to September 11, 2007

9/11/2007, CONTINUED. Continued to October 16, 2007

10/16/2007, CONTINUED. Continued to October 30, 2007

10/30/2007, CONTINUED. Continued to January 15, 2008

1/15/2008, CONTINUED. Continued to March 18, 2008

3/18/2008, CONTINUED. Continued to April 29, 2008

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

29. 080460 [Public Hearing - Conditional Use Appeal for 1575 South Van Ness Avenue]
Hearing of persons interested in or objecting to the decision of the Planning Commission dated March 13, 2008, relating to the disapproval of a Conditional Use Authorization (Case No. 2007.1456C), under Planning Code Sections 703.3 and 703.4 to allow a Formula Retail Use paint store (dba ICI Paints) within a Moderate Scale (NC-3) Neighborhood Commercial District on property located at 1575 South Van Ness Avenue; Lot 027 in Assessor's Block 6571.

The Commission could not affirmatively vote to either approve or disapprove the application due to a 3-3 split on the Commission. In the absence of an affirmative action, the project is considered disapproved by the Commission. (Appellant: Paul R. Johnson on behalf of The Glidden Company dba ICI Paints.)

(Filed April 4, 2008; companion measure to Files 080461, 080462, 080463; District 9.)

Action: _____

(Only one of the following two motions should be approved.)

30. 080461 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]
Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

31. 080462 [Disapproving Conditional Use Application for property located at 1575 South Van Ness Avenue]
Motion disapproving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

32. 080463 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.

Question: Shall this Motion be APPROVED?

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 35 through 40

35. 080571 [Commendation of Lorraine Woodruff-Long]
Supervisor Elsbernd

Resolution commending Lorraine Woodruff-Long for her service to San Francisco parents through the organization Parents for Public Schools of San Francisco.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 080572 [Small Business Week - May 12 - 17, 2008]
Supervisors Dufty, Maxwell, Alioto-Pier

Resolution proclaiming May 12, 2008 to May 17, 2008 Small Business Week in San Francisco.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 080573 [Commending Officer Daryl Deen on 24 years of service to the San Francisco Police Department]
Supervisor Duffy
Resolution commending San Francisco Police Department Officer Daryl Deen for 24 years of service

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 080574 [Hepatitis B Free Week in San Francisco - May 10 - 17, 2008]
Supervisor Chu
Resolution declaring May 10 – 17, 2008 Hepatitis B Free Week in the City and County of San Francisco.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 080575 [State Grant to support the High Risk (Pest Exclusion) Program - \$66,325]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of \$66,325 in support of the High Risk (Pest Exclusion) Program, for the period of July 1, 2007 through June 30, 2008.

4/22/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 080532 [Proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005]
Supervisors Sandoval, Ammiano
Resolution proclaiming May 1, 2008 to be International Workers' Day, affirming San Francisco as a Sanctuary City, and urging the Congress of the United States to repeal the REAL ID Act of 2005.

4/15/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

4/22/2008, CONTINUED.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).



[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 15, 2008 to April 21, 2008, for reference by President to appropriate committee on April 29, 2008.

- 080514** **[Increasing Street Artist Certificate Fee and Increasing Rate of Compensation of the Advisory Committee of Street Artists and Crafts Examiners]**
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings.
(Arts Commission)

4/15/2008, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 5/22/2008.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 15, 2008 to April 21, 2008, for reference by President to appropriate committee on April 29, 2008.

- 080515** **[Lease of Real Property at 1 Dr. Carlton B. Goodlett Place, North Light Court]**
Resolution authorizing the lease of 2,400 square feet of space to Juma Ventures, Inc., a California non-profit corporation, in City Hall located at 1 Dr. Carlton B. Goodlett Place.
(Real Estate Department)

4/21/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.



080502 [Petitions and Communications]

Petitions and Communications received from April 15, 2008 through April 21, 2008 for reference by the President to April 29, 2008.

From concerned citizens, urging the Board to support the proposed amendment of the "Scene in San Francisco" Rebate Program. File 071659, Copy: Each Supervisor, 3 letters. (1)

From Department of Elections, submitting a copy of the Certification of Election Results and the Statement Vote for the April 8, 2008 Special Congressional Open Primary Elections. (2)

From Rev. Paul Porter, commenting on the Olympic Torch Relay. (3)

From concerned citizens, urging the Board to support the safe approach to controlling the Little Brown Apple Moth. File 080409, Copy: Each Supervisor, 2 letters. (4)

From Save the Laguna Street Campus, submitting a request for continuance and public hearing regarding the 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor, 2 letters. (5)

From concerned citizens, urging the Board to hold public hearings to review the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor, 37 letters. (6)

From concerned citizens, commenting on various issues and concerns. Copy: Each Supervisor. (7)

From Howard Chabner, J.D., commenting on the Chambers v. City and County of San Francisco lawsuit. File 080135, Copy: Each Supervisor. (8)

From Marsh and Associates, requesting the Board to consider amendments on the Market and Octavia Area Plan. File 071157 & 071159. (9)

From Office of the City Attorney, responding to an inquiry regarding an appeal of Planning Commission Resolution No. 17573 recommending adoption of the Market and Octavia Plan. File 071157, Copy: Each Supervisor. (10)

From Municipal Transportation Agency, submitting Tow Refund Report for the first quarter of calendar year 2008. (11)

From Secretary of State's Elections Division, submitting a cassette-recorded version of the Official California Voter Information Guide. (12)

From Christian Holmer, commenting on various issues and concerns, 4 letters. (13)

From concerned citizens, commenting on the Video on Demand System upgrade. 2 letters. (14)

From James Chaffee, commenting on media presentation at the Board of Supervisors Meeting. (15)

From Office of the Administrative Services, responding to an inquiry related to media presentation at the Board of Supervisors Meeting. (16)

From concerned citizens, commenting on Proposition G. 2 letters. (17)

From Francisco Da Costa, submitting various articles from various websites. 3 letters. (18)

From concerned citizens, submitting comments and concerns relating to the Planning Code Amendments to implement the Market and Octavia Area Plan. File 071157 & 071159, Copy: Each Supervisor, 2 letters. (19)

- From Office of the Clerk of the Board, regarding the Mayor's appointments to various Commissions. 2 letters. (20)
- From Office of Economic and Workforce Development, submitting an announcement of the Request for Proposals (RFP) #102 regarding the provision of Workforce Investment Act Services. (21)
- From Gail Moore, submitting concerns regarding San Francisco waste management system. (22)
- From Harris Bruce Taback, Esq., submitting notice of Save the Laguna Street Campus Association filing a petition regarding 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor. (23)
- From California Legislature Senate Rules Committee, regarding the Governor's appointment of Joseph K. Lyou, Ph.D., as a member of the South Coast Air Quality Management District Board. Copy: Each Supervisor. (24)
- From Mayor Newsom, designating various Supervisors as Acting-Mayor from 9:00AM on April 18, 2008 until 5:00PM on April 21, 2008. Copy: Each Supervisor. (25)
- From Fine Arts Museums, submitting a complaint letter to San Francisco Fire Department – Division of Fire Prevention and Investigation. (26)
- From Office of the Controller, submitting a report to the Mayor's Office of Housing regarding the results of the City Services Auditor Division's follow-up review. (27)
- From Paul Morningstar, commenting on Tibet. (28)
- From Office of the Clerk of the Board, submitting a memorandum to the Board of Supervisors on Amendments to Regulation regarding Notice of Statement of Incompatible Activities. Copy: Each Supervisor. (29)
- From Ann Garrison, submitting statistics on natural gas and liquefied natural gas. File 080524, Copy: Each Supervisor. (30)
- From Municipal Transportation Agency, submitting a letter to Contract Compliance, Human Rights Commission regarding California Paratransit Buses and Minivans Procurement Contract. (31)
- From Kimo Crossman, submitting a copy of the Sunshine Ordinance Task Force Complaint regarding violations to various sections of the California Public Records Act. (32)
- From Kimo Crossman, submitting a request to Angela Calvillo, Clerk of the Board to be present at the April 22, 2008 Sunshine Ordinance Task Force Meeting. (33)
- From State of California Fish and Game Commission, submitting a copy of the continuation notice of proposed regulatory action related to Big Horn Sheep. (34)
- From James Reedy, submitting a letter to Mayor Newsom commenting on Recreation and Park Department. (35)
- From Veterans Affairs Commission, urging the Board to assist and help the Posts of the American Legion during the retrofit exodus from Veterans Buildings. (36)
- From Ethics Commission, submitting 2007 Mayoral Public Financing Program and a Feasibility and Costs Study of a Full Public Financing Program Report. Copy: Each Supervisor. (37)
- From Alvin Johnson, commenting on various issues and concerns. (38)

From concerned citizens, commenting on papers and plastic bags littering problems. 10 letters (39)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's request to investigate pedestrian safety at the westbound MUNI stop (N-Judah) at Judah Street and 16th Avenue. (40)

From Save the Laguna Street Campus, submitting a testimony on the approval of the 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor. (41)

From concerned citizen, submitting a notification of PG&E application filing for approval for recovery in rates of costs previously deemed reasonable associated with the valuation of its hydroelectric generation assets. (42)

From Coalition for San Francisco Neighborhoods, urging the Board to support open government legislation. File 071596, Copy: Each Supervisor. (43)

From Patrick Missud, submitting a letter to San Francisco Redevelopment Agency regarding Certificates of Preference. (44)

From P. Gianni, commenting on various issues and concerns. (45)

From James Chaffee, commenting on various issues relating to the Board of Supervisors. (46)

From Andrea O'Leary, submitting a letter to Recreation & Park Commission commenting on funds and budgets. (47)

From Banker's Art Museum, recommending the artist, Sky Jones for a commendation or award. (48)

From Dr. Ahimsa Porter Sumchai, commenting on Congressional Investigation of the Centers for Disease Control and Prevention. (49)

APPOINTMENT BY THE MAYOR

Arts Commission
Topher Delaney
Rene Bihan

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, May 6, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

DOCUMENTS DEPT.

MAY 02 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at soff@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Elsbernd, Daly, Chu

1. 080467 [Lease of Real Property at 68 12th Street, Suite 200B]
Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

2. 080468 [Lease of Real Property at 1360 Mission Street, Suite 401]
Resolution authorizing the Director of Property to exercise an extension option for a three-year term for the lease of real property located at 1360 Mission Street, Suite 401, for the Department of Public Health retroactively to January 1, 2008.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

3. 071674 [Zoning - Amending Superseded Height and Bulk Provisions in the North Beach NCD]
 Supervisor Peskin
 Ordinance amending the San Francisco Planning Code by amending Section 722.1 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

4/29/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

4. 080334 [Settlement of Lawsuit - CCSF v. Pacific Gas & Electric Company, et al. - \$357,036.43]
 Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Pacific Gas and Electric Co., et al. on June 20, 2005, in San Francisco Superior Court, Case No. CGC-05-442416, entitled, City and County of San Francisco, a municipal corporation v. Pacific Gas and Electric Co., a corporation, Stacy and Witbeck/Esquivel, a joint venture, Stacy and Witbeck, Inc., a corporation, Esquivel Grading and Paving, Inc., a corporation, Bauman Landscape, Inc., a corporation, and DOES 1 to 25, inclusive.
 (City Attorney)
5. 080454 [Settlement of Lawsuit - John Weatherspoon III- \$5,150,000.00]
 Ordinance authorizing settlement of the lawsuit filed by John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon against the City and County of San Francisco for \$5,150,000.00; the lawsuit was filed on May 9, 2006 in San Francisco Superior Court, Case No. 452-083; entitled John Weatherspoon III, by and through his Guardian Ad Litem, Barbara Weatherspoon v. City and County of San Francisco, et al.
 (City Attorney)

4/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 080455 [Settlement of Lawsuit - Marnix Van Ammers and Jean Walker- \$70,000.00]
Ordinance authorizing settlement of the lawsuit filed by Marnix Van Ammers and Jean Walker against the City and County of San Francisco for \$70,000.00; the lawsuit was filed on April 9, 2007 in the San Francisco Superior Court, Case No. 462-146; entitled Van Ammers, et al., v. City and County of San Francisco, et al.
(City Attorney)

4/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 080456 [Settlement of Lawsuit - Jane Martin- \$75,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Aristides Cisneros and Shirley Kollman against the City and County of San Francisco for \$75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

4/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 080457 [Settlement of Lawsuit - Margarita Hill- \$55,000]
Ordinance authorizing settlement of the lawsuit filed by Margarita Hill against the City and County of San Francisco for \$55,000; the lawsuit was filed on December 12, 2006 in San Francisco Superior Court, Case No. 458664; entitled Margarita Hill v. City and County of San Francisco, et al.
(City Attorney)

4/29/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

(Only one of the following two motions should be approved.)

9. 080461 [Disapproving Conditional Use Application for property located at 1575 South Van Ness Avenue]
Motion approving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.
- 4/29/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
4/29/2008, CONTINUED. Continued to May 6, 2008.
Question: Shall this Motion be APPROVED?
10. 080462 [Approving Conditional Use Application for property located at 1575 South Van Ness Avenue]
Motion disapproving decision of the Planning Commission disapproving Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.
- 4/29/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
4/29/2008, CONTINUED. Continued to May 6, 2008.
Question: Shall this Motion be APPROVED?
11. 080463 [Findings - 1575 South Van Ness Avenue Conditional Use Application Appeal]
Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2007.1456C on property located at 1575 South Van Ness Avenue.
- 4/29/2008, CONTINUED. Continued to May 6, 2008.
Question: Shall this Motion be APPROVED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

12. 071294 [Climate change goals and action plan]
Supervisor Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

4/29/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

4/29/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Elsbernd, Daly, Chu

13. 080544 [Approve SOMA Community Stabilization Fund Strategic Plan]
Resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

14. 080232 [Planning Code-Deadline Extension for Medical Cannabis Dispensary Permitting]
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain medical cannabis dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Sandoval

15. 071669 [Planning -Haight Street Neighborhood Commercial District - Full-Service Restaurants]
Supervisor Mirkarimi
Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 080223 [Street Encroachments on Ocean Avenue at Granada Avenue]
Supervisor Sandoval
Resolution granting revocable permission to San Francisco Arts Commission to occupy a portion of the public right-of-way to install and maintain two mosaic sun spheres, one three feet, and one four feet in diameter near the northeasterly and southwesterly corners of Ocean Avenue and Granada Avenue, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Thursday, May 1, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 6, 2008.

17. 080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]
Supervisor Duffy
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

19. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

20. **Item number not used

CLOSED SESSION

21. 080595 [Closed Session - Telephone Users Tax and the 911 Wireless Fee]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following matters:

(a) a ruling filed on April 29, 2008 by the California Court of Appeal in Bay Area Cellular Telephone Company et al., v. City of Union City, (Case No. A114956) that may result in litigation involving the City related to the Emergency Response Fee in San Francisco - Business and Tax Regulations Code Section 750, et seq.; and

(b) pending litigation in the Los Angeles, CA Superior Court: Tracfone Wireless Inc. v. City of Los Angeles, (Case No. BC 363735) and Tracfone Wireless Inc. v. County of Los Angeles, (Case No. BC 357628) that may result in litigation involving the City related to the Telephone Users Tax in San Francisco - Business and Tax Regulations Code Section 701, et seq.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.
(City Attorney)

[Elect To Disclose]

Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 22 through 27

22. 080597 [Supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century]
Supervisors Peskin, Dufty, Mirkarimi, Elsbernd, Daly, Ammiano, Maxwell, McGoldrick, Sandoval, Chu
Resolution supporting Assembly Bill 3034, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.
- 4/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
23. 080598 [Urging the California State Assembly to support the passage of Assembly Bill 2153]
Supervisor Ammiano
Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.
- 4/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. 080599 [Gift to City of travel from San Francisco Chamber of Commerce for 2008 CityTrip]
Supervisor Peskin
Resolution accepting a gift of airfare, accommodations, and conference fees valued in an amount of \$6,500 from the San Francisco Chamber of Commerce for two City officials or employees to join the Chamber of Commerce on its 2008 CityTrip to Los Angeles.
- 4/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 080600 [Declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District]
Mayor, Supervisor Ammiano
Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District, to help the District cope with the loss of State funding for the 2008-2009 school year.
- 4/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

26. 080551 [Final Map - 301-315 Mission Street and 101-129 Fremont Street]
Motion approving Final Map 4146, a 420 Residential Unit and 8 Commercial Unit Mixed-Use Condominium Project, located at 301 – 315 Mission Street and 101 – 129 Fremont Street being a subdivision of Lot 001 and 017 in Assessors Block No. 3719 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,503; District 6.)

4/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

27. 080552 [Final Map - 2405-2407 Folsom Street]
Motion approving Final Map 4751, a 6 Unit Residential and 4 Unit Commercial Mixed-Use Condominium Project, located at 2405 – 2407 Folsom Street being a subdivision of Lot 042 in Assessors Block No. 3612 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,505; District 9.)

4/25/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

28. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 22, 2008 to April 28, 2008, for reference by President to appropriate committee on May 6, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from April 22, 2008 to April 28, 2008, for reference by President to appropriate committee on May 6, 2008.

- 080581 [Approval of Fifth Amendment to Agreement with Serco Inc. for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$7,000,000]
Resolution approving the Fifth Amendment to the Agreement between Serco Management Systems, Inc. and the City and County of San Francisco, through the San Francisco Municipal Transportation Agency.
(Municipal Transportation Agency)

4/28/2008, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.
- 080582 [Approval of Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project, for a contract term of two years and an amount not-to-exceed \$23,000,000]
Resolution approving the Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project.
(Municipal Transportation Agency)
- 080583 [Official Advertising for FY 2008-2009]
Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09.
(Office of Contract Administration)

4/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080584 [Outreach Advertising for FY 2008-2009]
Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, and Asian Week to be the outreach newspaper of the City and County for the Chinese community, to provide outreach advertising services for Fiscal Year 08-09.
(Office of Contract Administration)

4/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080585** [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]
Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement.
(Public Health Department)

4/28/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080503 [Petitions and Communications]

Petitions and Communications received from April 22, 2008 through April 28, 2008 for reference by the President to May 6, 2008.

From Department of Children, Youth & Families, submitting their list of sole source contracts. (1)

From Dr. Ahimsa Porter Sunchai, submitting and commenting on various issues. 2 letters (2)

From Designing Accessible Communities, submitting a letter to Department of Building Inspection regarding investigation at 4072 – 18th Street. (3)

From Kimo Crossman, regarding his request to Angela Calvillo, Clerk of the Board to attend the April 22, 2008 Sunshine Ordinance Task Force Meeting. 2 letters. (4)

From Patrick Monk, R.N., submitting a letter to Supervisor Dufty regarding the Laguna Honda Hospital. (5)

From concerned citizens, commenting on the San Francisco Zoo Incident. File 080031, Copy: Each Supervisor, 8 letters. (6)

From concerned citizens, commenting on aerial spraying of the Little Brown Apple Moth. File 080405, Copy: Each Supervisor, 2 letters. (7)

From Planning Department, submitting 2007 Housing Inventory Report. (8)

From Immigrant Rights Commission, submitting a resolution opposing the supplemental rule on Social Security "No-Match" letters. Copy: Each Supervisor. (9)

From Human Services Agency Purchasing Unit, submitting a waiver request form to the Human Rights Commission regarding purchasing food and items from Safeway Stores. (10)

From Department of Public Health, submitting monthly STD report in San Francisco. (11)

From Arts Commission, submitting FY 2007-08 Third Quarter Report. (12)

From Office of the Budget Analyst, submitting Management Audit of the Marina Yacht Harbor Fund. (13)

From Office of the Budget Analyst, submitting report of the Evaluation of the City's Employee Health Promotion Programs. (14)

From Kimo Crossman, submitting articles regarding retention of government employees' e-mails. (15)

From Christian Holmer, submitting a public records requests to the Ethics Commission. 3 letters. (16)

From Office of the Controller – City Services Auditor, submitting a report on The Community Justice Center: Assessment of the Proposed Center. (17)

From Sunshine Ordinance Task Force, submitting 2006-2007 Combined Annual Report. Copy: Each Supervisor. (18)

From Port of San Francisco, submitting Contracting Activity Report FY 2007-2008: Third Quarter Period January 1, 2008 through March 31, 2008. (19)

From Sunset/Parkside Education and Action Committee, submitting a letter to Mayor Newsom regarding Recreation and Park Department budget for Urban Forestry Division. (20)

From Donna Allison, commenting on issues and concerns regarding Municipal Railway. (21)

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices at the San Francisco Zoo. File 080031, Copy: Each Supervisor, 17 letters. (22)

From San Francisco Council of District Merchants Association, urging the Board to distribute to the public the report, "Sustaining Our Prosperity: The San Francisco Economic Strategy," and provide a sixty day public review period. File 071157. (23)

From concerned citizens, urging the Board to disapprove ICI Paints application for a Conditional Use permit on property located at 1575 South Van Ness Avenue. File 080460, 8 letters. (24)

From Ann Garrison, submitting an article regarding natural gas. File 080523, Copy: Each Supervisor. (25)

From Thomas Morton, opposing to the extensions of the 24 Divisadero MUNI line over Scott, Union and Divisadero to Chestnut. (26)

From Shannon Seaberg, commenting on Mayor Newsom's Mandatory Recycling and Composting Ordinance. (27)

From concerned citizens, submitting support for the EarthLink agreement, which will provide the City with free wireless Internet. 2 letters. (28)

From Office of the Controller, responding to Supervisor Elsbernd's inquiry on cost estimate for the potential savings that would result from an automatic, unpaid employee furlough for the period between December 26th and January 1st. (29)

From Branch Library Improvement Program, submitting 2000 Branch Library Improvement Bond Quarterly Report, First Quarter of 2008 (January – March 2008). (30)

From concerned citizens, urging the Board to implement clean energy solution with Community Choice Energy. 14 letters. (31)

From Office of the Controller – City Services Auditor, submitting report concerning the Concession Audit of H. Young Enterprises, Inc., dba Just Desserts. (32)

From Human Services Agency, regarding Human Services Care Fund: FY07-08 3rd Quarter Update. (33)

From concerned citizens, commenting on papers and plastic bags littering problems. 23 letters. (34)

From Jonathan Gomes, commenting on new height limits on buildings around the Transbay terminal area. (35)

From concerned citizens, commenting on the Hugues de la Plaza case. (36)

From Municipal Transportation Agency, regarding status on adding a 2 second all-red clearance phase after the Masonic Avenue yellow light to help clear left turning vehicles. (Reference 20080304-002) (37)

From Daniel Pong, commenting on concerns regarding price increase. (38)

From Veterans Affairs Commission, regarding request of immediate action to reprimand Commissioner John Caldera and consider his removal from the Commission. Copy: Each Supervisor. (39)

From concerned business owners, submitting a letter to Supervisor Peskin regarding a "Zero Cut Action" for the Fisherman's Wharf Public Realm Plan. Copy: Supervisor Peskin, 2 letters. (40)

From Marriott Fisherman's Wharf Hotel, submitting a letter to Fire Department regarding Neighborhood Emergency Response Team (NERT) training. (41)

From Last and Found Tenant Association, submitting a letter to Mayor Newsom regarding various concerns. (42)

From Bilingual Community Senior/Tenant Advocate, submitting a complaint against the Housing Authority Program Manager. (43)

From Michael Hurley, commenting on safety concerns regarding bicyclists and pedestrians. Copy: Each Supervisor. (44)

From San Francisco Beautiful, supporting the appointment of Ron Miguel to the Planning Commission. File 080423, Copy: Each Supervisor. (45)

From Sunshine Posse, requesting for continuance regarding hearing to consider appointing ten members to the Sunshine Ordinance Task Force. File 080554, Copy: Each Supervisor. (46)

From Christian Holmer, submitting a Government Transparency Questionnaire: 2008 District Board of Education Races: Citywide. (47)

From Save the Laguna Street Campus, submitting a testimony on the approval of Planning Code Amendments to implement the Market and Octavia Area Plan. File 071157, Copy: Each Supervisor. (48)

From Save the Laguna Street Campus, submitting a testimony on the approval of the 55 Laguna Mixed Use Project. File 080211, Copy: Each Supervisor. (49)

From Steve Lerner, submitting a letter to Health Service System regarding "City Plan" coverage for retirees. (50)

From Mary Miles, submitting public comment on the Market-Octavia legislation. File 071157, 071156, 080255 & 071159. (51)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 13, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

DOCUMENTS DEPT.

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the April 8, 2008 and April 15, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, Elsbernd

1. 080477 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]
Supervisor Dufty
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

5/6/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. **080560** **[Grant to support the International Mobility of HIV study - \$119,181]**
 Supervisor Dufty
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$119,181 from the University of California, San Francisco (UCSF), to support a study entitled "International Mobility of HIV," for the period of September 30, 2007 through August 31, 2008.

Question: Shall this Resolution be ADOPTED?

3. **080561** **[Funds to support HIV vaccine research - \$139,432]**
 Supervisor Dufty
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of \$139,432 from the Public Health Foundation Enterprises (PHFE); for the period of January 1, 2008 through December 31, 2008.

Question: Shall this Resolution be ADOPTED?

4. **080562** **[Grant to support the Safe Routes to School Project - \$500,000]**
 Supervisor Elsbernd
 Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend funds from the California Department of Transportation (CalTrans) in the amount of \$500,000 to support the Safe Routes to School Project, including one educational services consultant contract in the total amount of \$135,541 for the period of September 1, 2008 through August 31, 2010; and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval

5. **071669** **[Planning - Haight Street Neighborhood Commercial District - Full-Service Restaurants]**
 Supervisor Mirkarimi
 Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/6/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Daly, Duffy, Ammiano

6. 080509 [Settlement of Lawsuit - Debra Denise Reed - \$65,000]
Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for \$65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
7. 080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]
Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
8. 080546 [Appointment - Western SOMA Citizens Planning Task Force - John Thomas Braun and Robert Knigge]
Motion appointing John Thomas Braun and Robert Knigge, terms ending June 30, 2010, to the Western SOMA Citizens Planning Task Force.
John Thomas Braun, new appointment, seat 4, must be a youth residing in Western SOMA, for term ending June 30, 2010.
Robert Knigge, succeeding Matthew Furey, seat 5, term expired, must be raising a family in Western SOMA, for term ending June 30, 2010.

Question: Shall this Motion be APPROVED?

9. 080554 [Appointment - Sunshine Ordinance Task Force - Erica Craven, Richard Knee, Sue Cauthen, Ketaki Gokhale, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman]
Motion appointing Erica Craven, Richard Knee, Sue Cauthen, Ketaki Gokhale, Allyson Washburn, Kristin Chu, Hanley Chan and Nicholas Goldman, terms ending April 27, 2010, to the Sunshine Ordinance Task Force, residency requirement waived.
Erica Craven, succeeding herself, term expired, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for a two-year term ending April 27, 2010.
Richard Knee, succeeding himself, term expired, seat 2, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be a Journalist, for a two-year term ending April 27, 2010.
Sue Cauthen, succeeding herself, term expired, seat 3, must be a member of the press or electronic media with an interest in citizen access, for a two-year term ending April 27, 2010.
Ketaki Gokhale, succeeding Pueng Vongs, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization.
Task Force reorganized under Proposition G and seat number changed from 15 to 4, for an unexpired portion of a two-year term ending April 27, 2009.
Allyson Washburn, succeeding Kristin R. M. Chu, term expired, seat 5, must be appointed from names submitted by the League of Women Voters, for a two-year term ending April 27, 2010.
Kristin Chu, succeeding Bruce Wolfe, term expired, seat 8, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010.
Hanley Chan, succeeding himself, term expired, seat 9, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010 (residency requirement waived).
Nicholas Goldman, succeeding himself, term expired, seat 10, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a two-year term ending April 27, 2010.

Question: Shall this Motion be APPROVED?

10. 080555 [Appointment - Peak Oil Preparedness Task Force - Cal Simone]
Motion appointing Cal Simone, term ending October 5, 2008, to the Peak Oil Preparedness Task Force, residency requirement waived.
Cal Simone, succeeding Franz Cheng, resigned, seat 6, must represent the public at large, for the unexpired portion of a one-year term ending October 5, 2008 (residency requirement waived).

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of Mayor's Veto

Consideration to override veto pursuant to Charter Section 2.106 of Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

11. 071596 [Audio or video recording of public meetings held in City Hall hearing rooms]
Supervisors Mirkarimi, Ammiano, Daly

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

4/15/2008, PASSED ON FIRST READING.

4/22/2008, FINALLY PASSED.

NOTE: This action requires two-thirds vote. The Board may not amend the Ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on May 2, 2008. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before June 1, 2008.

Action: _____

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

**12. 080232 [Planning Code - Deadline Extension for Medical Cannabis Dispensary Permitting]
 Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 790.141, and 890.133 to extend the time period for certain Medical Cannabis Dispensaries to obtain a permit from March 1, 2008 to January 21, 2009; and making findings, including General Plan, Planning Code Section 101.1(b) and environmental findings.

5/6/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

13. 080464 **[Implementing a Deferred Retirement Option Program for certain members of the Police Department]**
Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters.
(Retirement System)
(Supervisor Daly dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 080565 **[Accept-Expend Federal Grant and Amend Annual Salary Ordinance, FY 2007-2008 - \$307,375]**
Supervisor Mirkarimi
Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$307,375 from the California Employment Development Department for workforce development activities, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080519 **[Accept-Expend Sidney E. Frank Foundation Grant and Amendment to the Annual Salary Ordinance, FY 2007-2008 - \$200,000]**
Supervisor Alioto-Pier
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Chu

16. 080404 [Appropriating \$593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008]
Mayor, Supervisor Chu
Ordinance appropriating \$593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008. Place total appropriation of \$593,490,962 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 080590 [Airport Capital Plan Bonds - not to exceed \$718,000,000]
Supervisor Chu
Resolution approving the issuance of not to exceed \$718,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing and refinancing the construction, acquisition, equipping and development of capital projects undertaken by the Airport constituting part of the Airport's capital plan.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

18. 080569 [Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority relating to Yerba Buena Island Ramps - not to exceed \$3,000,000]
Mayor
Resolution authorizing a Memorandum of Agreement between the Treasure Island Development Authority and the San Francisco County Transportation Authority for project management services and consultant services for the preparation of a Project Report and Environmental Document for the Yerba Buena Island Ramps in an amount not to exceed \$3,000,000.

Question: Shall this Resolution be ADOPTED?

19. 080325 [Contract between the Department of Health and the California Department of Health Care Services for the Health Care Coverage Initiative in the amount of \$73.1 million over a three-year period in support of the Healthy San Francisco program]
Mayor
Resolution authorizing the Director of Health to enter into a contract with the California Department of Health Care Services to provide reimbursement for health services costs incurred in providing services to specified Healthy San Francisco participants under the Health Care Coverage Initiative in the amount of \$73.1 million.

Question: Shall this Resolution be ADOPTED?

Present Supervisors Peskin, Maxwell, Alioto-Pier

20. 080592 [Appropriating \$273,015,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin
Ordinance appropriating \$273,015,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code.
(Fiscal Impact.)
(Supervisor Alioto-Pier dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
- Question: Shall this Resolution be ADOPTED?

23. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in committee.)

Question: Shall this Resolution be ADOPTED?

24. 080447 [Adopting the State of California's Energy Priorities]
Supervisor Alioto-Pier
Resolution adopting the State of California's Energy Priorities as stated in the Energy Action Plan of 2003 and Energy Action Plan II of 2005 which are, in the following order, energy efficiency and demand response, renewable energy and lastly, clean fossil generation.
(5/8/08 - Amendment of the Whole.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Special Meeting on Thursday, May 8, 2008 at 3:30 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 13, 2008.

25. 080601 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]
Supervisor Elsbernd
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, May 12, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 13, 2008.

26. 080515 [Lease of Real Property at 1 Dr. Carlton B. Goodlett Place, North Light Court]
Resolution authorizing the lease of 2,400 square feet of space to Juma Ventures, Inc., a California non-profit corporation, in City Hall located at 1 Dr. Carlton B. Goodlett Place.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 29 through 35

29. 080598 [Urging the California State Assembly to support the passage of Assembly Bill 2153]
Supervisor Ammiano
Resolution urging the California State Assembly to support the passage of Assembly Bill 2153 and directing the City's lobbyist to work towards this end.

4/29/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

5/6/2008, CONTINUED. Supervisor Chu requested that this matter be severed so that it might be considered separately.

Continued to May 13, 2008.

Question: Shall this Resolution be ADOPTED?

30. 080622 [Multifamily Housing Revenue Bonds - 149 Mason Street Apartments - not to exceed \$15,275,000]
Mayor
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$15,275,000 for the purpose of providing financing for a multifamily rental housing project to be known as 149 Mason Street Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.
- 5/6/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. 080623 [Grant funds to support the Aboveground Petroleum Storage Act program - \$63,567.48]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health's Environmental Health Section (DPH-EHS) to enter into an agreement with the California Environmental Protection Agency (Cal/EPA) and to designate a representative to sign the agreement and any amendments thereto for implementation of the Aboveground Petroleum Storage Act (APSA) and to accept and expend retroactively a new grant in the amount of \$63,567.48 from CEPA to support the "Aboveground Petroleum Storage Act Program" for the period of January 1, 2008 through March 1, 2010.
- 5/6/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. 080624 [Proclaiming June, July and August of 2008 as "Soda Free Summer"]
Supervisor Duffy
Resolution proclaiming June, July and August of 2008 as "Soda Free Summer" in the City and County of San Francisco, and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink" and go Soda Free this summer.
- 5/6/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. 080625 [Commending Mimi Silbert and declaring May 15, 2008 to be Mimi Silbert Day]
Supervisor Sandoval
Resolution commending Mimi Silbert for more than 36 years of leadership as the President and CEO of Delancey Street and her steadfast commitment to the rehabilitation and reintegration of more than 14,000 people nationwide, and declaring May 15, 2008 to be Mimi Silbert Day, on the occasion of her recognition by the Women Defenders at their 2008 Spring Event.
- 5/6/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

34. 080626 [Public Works Week - May 18 - 24, 2008]

Supervisor McGoldrick

Resolution declaring May 18 through May 24, 2008 as Public Works Week.

~~5/6/2008~~ REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

35. 080627 [Commending AcroSports]

Supervisor McGoldrick

Resolution commending AcroSports on their 15 years of service to the community.

~~5/6/2008~~, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda _____*

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from April 29, 2008 to May 5, 2008, for reference by President to appropriate committee on May 13, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolution received from April 29, 2008 to May 5, 2008, for reference by President to appropriate committee on May 13, 2008.

080570 [Accept gift to the Fire Department - \$27,551]

Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of equipment and materials for the Department's Division of Training Resource Library valued at \$27,551.
(Fire Department)

5/1/2008. RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee

080504 [Petitions and Communications]

Petitions and Communications received from April 29, 2008 through May 5, 2008 for reference by the President to May 13, 2008.

From concerned citizens, commenting on unsolicited print publications and plastic bags littering problem. File 080380, Copy: Each Supervisor, 24 letters. (1)

From Employees' Retirement System, submitting a second draft of the ordinance implementing the Deferred Retirement Option Program (DROP). File 080464. (2)

From concerned citizens, urging the Board to disapprove IC1 Paints application for a Conditional Use permit on property located at 1575 South Van Ness Avenue. File 080460, 13 letters. (3)

From Alvin Johnson, submitting various comments and concerns. 3 letters. (4)

From Edward Griffin, submitting an article from San Francisco Chronicle regarding the legislation on enclosure of garbage receptacles. (5)

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor, 14 letters. (6)

From concerned organizations, submitting support for the resolution approving the SOMA Community Stabilization Fund 2008 Strategic Plan. File 080544, Copy: Each Supervisor, 3 letters. (7)

From Kimo Crossman, regarding his request to Angela Calvillo, Clerk of the Board to attend the April 22, 2008 Sunshine Ordinance Task Force Meeting. (8)

From Franz Latko, submitting various comments regarding to City holidays. (9)

From Christian Holmer, commenting on various issues and concerns. 2 letters. (10)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 11:00a.m. on Thursday, May 1, 2008 until 3:00p.m. on Thursday, May 8, 2008. Copy: Each Supervisor. (11)

From concerned citizens, urging the Board to implement the Community Choice Solar Power. File 080523, Copy: Each Supervisor, 11 letters. (12)

From Office of the Controller – City Services Auditor, submitting a report of the Human Services Agency: Care Not Cash Is Achieving Its Goals. (13)

From Richard Muller, urging the Board to pass the ordinance amending the Planning Code to extend time for certain medical cannabis dispensaries to obtain a permit. File 080232, Copy: Each Supervisor. (14)

From Kimo Crossman, submitting a letter to Compliance and Amendment Committee regarding electric formats of paper documents. (15)

From Amanda Coggin, commenting on proposed tennis court fees increases at Golden Gate Park. (16)

From Eric Reed, submitting a letter to The Examiner regarding delivery of unwanted newspapers. (17)

From The Examiner, responding to an inquiry regarding delivery of unwanted newspapers. (18)

From Office of Citizen Complaints, submitting 2008 First Quarter Statistical Report. Copy: Each Supervisor. (19)

From Kimo Crossman, commenting on David Pilpel's reappointment to the Sunshine Ordinance Task Force. File 080554, Copy: Each Supervisor. (20)

From San Francisco International Airport, submitting herewith the Airport Commission overtime justifications report for its employees from July 1, 2007 and March 21, 2008. File 080441. (21)

From Office of the Clerk of the Board, submitting a list of organizations, including the membership cost, in which the Board of Supervisors/Clerk of the Board's Office, wishes to be a member in Fiscal Year 2008-09. (22)

From Planning Department, regarding City Combustion Turbine Project Ordinance review. File 080523. (23)

From Dr. Ahimsa Porter Sumchai, commenting on various issues and concerns. (24)

From Alan E. Rice, submitting a letter to Department of Parking and Traffic regarding parking citation. (25)

From U.S. Army Corps of Engineers, submitting a public notice regarding Project: Old Arcata Road/Myrtle Avenue Widening & Rehabilitation. (26)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of March of 2008. (27)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities for the month of April of 2008. (28)

From Janice Graham, submitting a letter to Mayor Newsom commenting on parking issues for teachers. (29)

From Office of the Controller – City Services Auditor, submitting a report of Faulty Payment Controls Prevent Accurate Tax Reporting for Some Employees and City Vendors. Copy: Each Supervisor. (30)

From Municipal Transportation Agency, submitting herewith the Department of Parking and Traffic overtime justification report for its employees from July 1, 2007 through March 7, 2008. File 080441. (31)

From concerned citizens, commenting on aerial spraying of the Little Brown Apple Moth. (32)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's inquiry regarding the feasibility of converting Lawton Street and 16th Avenue, between Funston and Noriega Streets, to one-way streets. (Reference 20080415-003). (33)

From Ann Garrison, submitting various definitions for natural gas. (34)

From Health Commission, regarding Health Commission Resolution # 09-08, approving the submission of the Department of Public Health's FY 2008-2009 budget. (35)

From Gail Moore, urging the Board to adopt proposed legislation on Unsolicited Print Publications – Stop Distribution Notice. File 080380, Copy: Each Supervisor. (36)

From Barbara Fedun, submitting support on ICI Paints' application for a Conditional Use permit on property located at 1575 South Van Ness Avenue. File 080460. (37)

From 3-1-1 Customer Service Center, responding to Supervisor Sandoval's inquiry regarding Customer Service Center's procedures for referring violations of the Planning Code. (Reference 20080401-001) (38)

From David Mitchell, commenting on California Workers' Compensation System. (39)

From Elaine Collins, commenting on garbage receptacles pick-up time. (40)

From Mayor Newsom, submitting a veto letter regarding the expanded audio and video recording ordinance. File 071596, Copy: Each Supervisor. (41)

From Supervisor Maxwell, submitting a letter to Mayor Newsom regarding funding for the Office of Labor Standards Enforcement (OLSE) and its programs. Copy: Each Supervisor. (42)

From Veterans Affairs Commission, requesting immediate action to reprimand Commissioner John Caldera and consider his removal from the Commission. Copy: Supervisor Peskin. (43)

From State of California Fish and Game Commission, submitting a copy of the continuation notice of proposed regulatory action relating to Central Valley Chinook salmon sport fishing. (44)

From State of California Fish and Game Commission, submitting a copy of the notice of proposed regulatory action relating to Prawn and Shrimp Trawling. (45)

From concerned citizens, commenting on various issues regarding public safety. Copy: Each Supervisor, 2 letters. (46)

From Potrero Boosters Neighborhood Association, submitting a letter to Mayor Newsom regarding Electricity Reliability Project. File 080592, Copy: Each Supervisor. (47)

From concerned citizens, commenting on Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 2 letters. (48)

From Commissioner John Caldera, submitting a letter to Supervisor Peskin regarding refuting a letter drafted by Wallace Levin, President of Veterans Affairs Commission. Copy: Each Supervisor. (49)

From Gwen Loeb, commenting on Yerba Buena Center for the Arts (YBCA) exhibition. (50)

From George Davis, submitting a letter to Captain James Dudley regarding Police Department complaint. (51)

From Paula M. Bartunek, submitting a letter to Municipal Transportation Agency regarding proposed elimination of MUNI line 66 Quintara. (52)

From Precita Valley Neighbors, submitting opposition regarding the Solar Incentive Program. File 080425. (53)

From Alliance for a Better District 6, submitting support for the Safety Network Partnership. (54)

From concerned citizens, commenting on David Pilpel's Prepared Testimony for the Board of Supervisors Rules Committee. File 080554, Copy: Each Supervisor, 2 letters. (55)

From Stradling Yocca Carlson & Rauth, regarding California Community College Financing Authority, Community College League of California Tax and Revenue Anticipation Note Program, Series 2008A, San Francisco Community College District. (56)

APPOINTMENT BY THE MAYOR

Film Commission
Marlene Saritzky

Police Commission
Thomas Mazzucco

Planning Commission
Ron Miguel

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, May 20, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

DOCUMENTS DEPT.

MAY 15 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6**Recommendations of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080519 [Accept-Expend Sidney E. Frank Foundation Grant and Amendment to the Annual Salary Ordinance, FY 2007-2008 - \$200,000]
Supervisor Alioto-Pier
Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$200,000 from the Sidney E. Frank Foundation to carry out the critical task of engaging key stakeholders and interest groups to solicit input for a wave energy project and amending Ordinance Number 175-07 to reflect the addition of one (1) grant-funded position at the Department of the Environment.
- 5/13/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
2. 080565 [Accept-Expend Federal Grant and Amend Annual Salary Ordinance, FY 2007-2008 - \$307,375]
Supervisor Mirkarimi
Ordinance authorizing the Department of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$307,375 from the California Employment Development Department for workforce development activities, and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.
- 5/13/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

3. 080601 [Waiver of temporary street space occupancy fee on May 17, 2008 for Small Business Week Sidewalk Sale]
Supervisors Elsbernd, Chu
Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 17, 2008 as part of Small Business Week.
- 5/13/2008, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Chu

4. 080404 [Appropriating \$593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008]
Mayor, Supervisor Chu
Ordinance appropriating \$593,490,962 of proceeds from the sale of bonds for capital improvement projects at the San Francisco International Airport for Fiscal Year 2007-2008. Place total appropriation of \$593,490,962 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact.)

5/13/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

5. 080509 [Settlement of Lawsuit - Debra Denise Reed - \$65,000]
Ordinance authorizing settlement of the lawsuit filed by Debra Denise Reed against the City and County of San Francisco for \$65,000; the lawsuit was filed on November 22, 2006 in San Francisco Superior Court, Case No. 458-146; entitled Debra Denise Reed, et al., v. City and County of San Francisco, et al..
(City Attorney)
6. 080510 [Settlement of Lawsuit - Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422]
Ordinance authorizing settlement of the coordinated lawsuits, entitled Jail No. 3 Replacement Project Cases, San Mateo County, JCCP Case No: 4422, filed by AMEC Construction Management, Inc. ("ACMI") against the City and County of San Francisco, and filed by the City and County of San Francisco and the People of the State of California ("San Francisco") against ACMI, its parent and sister companies, its Surety companies, and its bond broker.
(City Attorney)

5/13/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

7. 080464 **[Implementing a Deferred Retirement Option Program for certain members of the Police Department]**
Ordinance adding Sections 16.63 through 16.63-10 to the Administrative Code to implement the Deferred Retirement Option Program approved by the San Francisco voters.
(Retirement System)
(Supervisor Daly dissented in Committee.)

5/13/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell, Alioto-Pier

8. 080592 **[Appropriating \$273,015,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power project for Fiscal Year 2007-2008]**
Supervisors Maxwell, Peskin
Ordinance appropriating \$273,015,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)
(Fiscal Impact.)

5/13/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code.
(Fiscal Impact.)
(Supervisor Alioto-Pier dissented in committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/13/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Resolution be ADOPTED?

11. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]
Supervisors Maxwell, Dufty, McGoldrick, Peskin
Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

12. 080568 [Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, Series 2005B, Series 2005C and Series 2005D-\$120,000,000]

Mayor

Ordinance approving the form and authorizing the execution of refunding bonds to refinance, in whole and/or in part, the \$120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

13. 080506 [Declaration of intent to transfer the duties of the Taxi Commission to the Municipal Transportation Agency]

Supervisor Peskin

Resolution declaring the intent of the Board of Supervisors to transfer the duties of the Taxi Commission to the Municipal Transportation Agency.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

14. 080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]
Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 080339 [Bayview Rezoning]
Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

16. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

3/25/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to April 22, 2008

4/22/2008, CONTINUED. Continued to May 20, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

17. 070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Motion be APPROVED?

18. 070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008

Question: Shall this Motion be APPROVED?

19. **070913** **[Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
- Question: Shall this Motion be APPROVED?**

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, May 19, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, May 20, 2008.

20. **080593** **[Appropriating \$1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008]**
Mayor
Ordinance appropriating \$1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008.
(Fiscal Impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

21. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities

22. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 23 through 30

23. 080667 [90 day extension for Planning Commission review - Liquor Stores]
Supervisor Sandoval

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by adding Section 226.5 to impose a distance requirement of 500 feet or more between new off-sale liquor stores and existing liquor stores, schools, public libraries, and recreation centers and establishing conditions for operation of liquor stores.

5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 080668 [Commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick Arguello, Evan Low, and the Gay Asian Pacific Alliance on their selection as grand marshals for the 38th Annual San Francisco LGBT Pride Celebration and Parade]
Supervisors Sandoval, Ammiano

Resolution commending Theresa Sparks, Joan Benoit, Joey Cain, Julius Turman, Marvin Burrows, Erick Arguello, Evan Low, and the Gay Asian Pacific Alliance on their selection as grand marshals for the 38th Annual San Francisco LGBT Pride Celebration and Parade.

5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 080669 [Commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying for the Light Brown Apple Moth]
Supervisors Sandoval, Mirkarimi
Resolution commending Kelly McMenimen, Elizabeth Rutzick, and Ian Tuller for their efforts to stop the proposed spraying to eradicate the Light Brown Apple Moth and for their Stop the Spray Town Hall Meeting, which took place on Thursday, May 8, 2008.
- 5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 080670 [Urging Governor Schwarzenegger and the State Legislature to restore funding for public higher education]
Supervisors Ammiano, Elsbernd, Dufty
Resolution expressing deep concern over the proposed budget cuts to the CSU and CCC systems and urging our Governor and Legislature to restore and reinvigorate funding for public higher education in California.
- 5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 080671 [Peace Officers' Memorial Day and National Police Week]
Supervisor Alioto-Pier
Resolution declaring May 15 Peace Officers' Memorial Day and the week in which May 15 falls as National Police week.
- 5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 080672 [Funds to support HIV rapid testing and counseling in drug abuse treatment programs]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$18,676 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the National Institutes of Health, to support a study of HIV rapid testing and counseling in drug abuse treatment programs, for the period of September 1, 2007 through August 31, 2008.
- 5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. 080665 [Waiver permitting City employees to assist the Department of Elections with the June 3, 2008 election]
Supervisor Peskin
Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the June 3, 2008 election.
- 5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

30. 080666 [Adopting the Planning Department's report on the Interim Moratorium on Tobacco Paraphernalia Retail Stores]
Supervisor Sandoval
Motion adopting the Planning Department's report on the interim zoning moratorium to prohibit the establishment of new Tobacco Paraphernalia Retail Stores for 45 days.

5/13/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

31. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 6, 2008 to May 12, 2008, for reference by President to appropriate committee on May 20, 2008.

- 080628** [Settlement of Lawsuit - CCSF v. Competent Builders, Inc.]
Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148).
(City Attorney)

5/6/2008, RECEIVED AND ASSIGNED to Rules Committee.

- 080629** [Settlement of Lawsuit - Tamara Josi - \$75,000]
Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San Francisco for \$75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al.
(City Attorney)

5/6/2008, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from May 6, 2008 to May 12, 2008, for reference by President to appropriate committee on May 20, 2008.

- 080589** [Agreement to Accept the Dolores Hotel Located at 35-37 Woodward Street]
Resolution approving and authorizing the execution and performance of an Agreement to Transfer and an Irrevocable Assignment and Assumption Agreement and Amendment to Loan Documents relating to the property commonly known as Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the transfer is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.
(Real Estate Department)

5/12/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

080505 [Petitions and Communications]

Petitions and Communications received from May 6, 2008 through May 12, 2008 for reference by the President to May 20, 2008.

From concerned citizens, urging the Board to oppose the Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 4 letters. (1)

From Department of Public Health, submitting Acquired Immunodeficiency Syndrome (AIDS) Quarterly Surveillance Report. (2)

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031. Copy: Each Supervisor, 7 letters. (3)

From concerned citizens, urging the Board to disapprove ICI Paints application for a Conditional Use permit on property located at 1575 South Van Ness Avenue. File 080460, Copy: Each Supervisor, 3 letters. (4)

From Ken Allen, requesting the Board to grant approval to ICI Paints application for a Conditional Use permit on property located at 1575 South Van Ness Avenue. File 080460, Copy: Each Supervisor. (5)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests from (6)

Manish Goyal, Legislative Assistant for Supervisor Michela Alioto-Pier

From Elections Commission, submitting Commission Annual Report from January 1 to December 31, 2007. (7)

From Greg Darby, urging the Board to implement the City's Trash Receptacle Ordinance. File 080586, Copy: Each Supervisor. (8)

From concerned citizens, opposing to the Electrical Reliability Power project. File 080592, Copy: Each Supervisor, 2 letters. (9)

From Francisco Da Costa, submitting articles from www.indybay.org regarding various subjects. 2 letters. (10)

From Kevin Reed, submitting support to the Board regarding extension for medical cannabis dispensaries. File 080232, Copy: Each Supervisor. (11)

From Kimo Crossman, regarding his immediate disclosure request – Sunshine Ordinance Task Force duties/organization chart, etc. (12)

From Municipal Transportation Agency, responding to an inquiry relating to safety concerns on MUNI vehicles. (13)

From concerned citizens, urging the Board to implement the Community Choice Solar Power. File 080523, Copy: Each Supervisor, 55 letters. (14)

From Department of the Environment, submitting Environmentally Preferable Purchasing Annual Report. (15)

From Terry Rolleri, submitting support regarding increase in fines for parking citations. Copy: Each Supervisor. (16)

From Joan Joaquin-Wood, opposing the construction of natural gas-fired combustion turbine generation facilities. File 080524. (17)

From Cheryl Richard, commenting on various issues regarding wireless setup in San Francisco. 2 letters. (18)

From Reynaldo Fimbres, commenting on commercial fishing vessels illegally using amateur radio frequencies. (19)

From Alvin Johnson, commenting on various issues. 3 letters. (20)

From Ann Garrison, submitting information regarding military aircraft. (21)

From Hayes Valley Neighborhood Association, submitting support for the Hayes Valley playgrounds proposal. (22)

From Bobby Skedsmo, submitting a letter to Bay Area Rapid Transit (BART) regarding food and drink violations on BART. (23)

From Yau Ng, commenting on various issues related to crime. (24)

From Police Department, responding to Supervisor Ammiano's request for information regarding Shotspotter systems. (Reference 20080429-011) (25)

From Andrew Drapkin, commenting on the sewage plant proposal. (26)

From Library Users Association, opposing new lost book fee and other provisions in proposed library fines and fees legislation. Copy: Each Supervisor. (27)

From Coalition for San Francisco Neighborhoods, regarding resolution to protect the historic main parade ground from inappropriate development. (28)

From Adrienne Krug, commenting on buildings height in downtown. (29)

From Benjamin Kerensa, commenting on homeless shelters. (30)

From Roy Langford, submitting opposition to legislation prohibiting pharmacies from selling tobacco products. File 080594, Copy: Each Supervisor. (31)

From John deCastro, submitting support to approve the combustion turbine peaker plants. File 080523, Copy: Each Supervisor. (32)

From Kimo Crossman, submitting an inquiry to Sunshine Ordinance Task Force regarding the May 14, 2008 meeting packet for Compliance and Amendment Committee. (33)

From concerned citizen, commenting on various issues and concerns. (34)

From Mosley Family, submitting appreciation to the Board for their expression of sympathy to the Mosley family. (35)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 3, 2008 2:00 PM

Regular Meeting

DOCUMENTS DEPT

MAY 30 2008

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AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics.

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the April 22, 2008 and April 29, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6**Recommendation of the Budget and Finance Committee**

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Chu

1. 080568 [Refunding or Conversion of Laguna Honda Variable Rate Demand General Obligation Bonds, Series 2005B, Series 2005C and Series 2005D-\$120,000,000]

Mayor

Ordinance approving the form and authorizing the execution of refunding bonds to refinance, in whole and/or in part, the \$120,000,000 City and County of San Francisco Variable Rate Demand General Obligation Bonds (Laguna Honda Hospital, 1999) Series 2005B, Series 2005C and 2005D (the "Prior Variable Rate Bonds") or approving the conversion of said bonds; approving the form and authorizing the execution of a Declaration of Trust relating to the refunding bonds; approving the tax levy for repayment of the refunding bonds; authorizing the appointment of the Treasurer as paying agent and the appointment of agents for the refunding bonds; authorizing the form of an Official Notice of Sale and Notice of Intention to Sell, and authorizing the City's compliance with a Continuing Disclosure Agreement relating to the refunding bonds; directing the publication of the Notice of Intention to Sell Bonds; approving the form of an Official Statement in preliminary and final form and authorizing the execution and delivery of a final Official Statement relating to the refunding bonds; approving the execution of a Bond Purchase Contract and authorizing the appointment of underwriters relating to the converted bonds; approving the form of an Official Statement Supplement in final form and authorizing the execution and delivery of a final Official Statement Supplement relating to the converted bonds; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take all necessary action in connection with the authorization, issuance, sale and delivery of said bonds or the conversion of said bonds.

5/20/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be **FINALLY PASSED**?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 080570 [Accepting gift to the Fire Department - \$27,551]
Resolution accepting a gift to the Fire Department from the Fireman's Fund Insurance Company Heritage Program of equipment and materials for the Department's Division of Training Resource Library valued at \$27,551.
(Fire Department)

Question: Shall this Resolution be **ADOPTED**?

3. 080615 [Accept and expend Environmental Protection Agency (EPA) grant funds - \$8,119,150]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a United States Environmental Protection Agency (US EPA) grant in the amount of \$8,119,150 for a Contamination Warning System Demonstration Pilot Project.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

4. 080593 [Appropriating \$1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008]
Mayor
Ordinance appropriating \$1,289,141 of interest earned for improvements to the California Academy of Sciences in the Recreation and Park Department for Fiscal Year 2007-2008.
(Fiscal Impact.)

5/20/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

5. 080338 [Zoning Map Amendments in connection with the Bayview Hunters Point Area Plan]
Ordinance amending Zoning Map Sheets 8, 9, 10, and 10 SU of the City and County of San Francisco Planning Code to replace various M-1 and M-2 zones with PDR-1, PDR-2, and special use district designations in the South Basin and Northern Industrial areas of the Bayview Hunters Point Study Area, consistent with the Bayview Hunters Point Area Plan; and adopting General Plan, Planning Code Section 101.1, and environmental findings.
(Planning Department)

5/20/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 080339 [Bayview Rezoning]

Ordinance amending the Planning Code by adding Sections 121.5, 121.7, 210.7, 210.8, 210.9, 230 and 249.32 and amending Sections 204.3, 204.4, 210, 210.6, and 213 through 227 to create a new Design and Development Special Use District and modify the existing M (Industrial) Districts to establish PDR-1 (Light Industrial Buffer) and PDR-2 (Production, Distribution and Repair) Districts and specify the use controls for activities in the PDR Districts, which generally will principally permit light manufacturing, wholesale and repair activities, prohibit or require a conditional use permit for heavy industry, prohibit housing, limit the size of retail and office uses, place controls on subdivision of large lots, provide accessory use guidelines and regulate the demolition of industrial buildings. (Planning Department)

5/20/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Government Audit and Oversight Committee

Present Supervisors Peskin, Maxwell

7. 080592 [Appropriating \$272,515,000 of COP Revenue for the San Francisco Public Utilities Commission Electrical Reliability Power Project for Fiscal Year 2007-2008]
Supervisors Maxwell, Peskin
Ordinance appropriating \$272,515,000 of San Francisco Certificates of Participation 2008 Series B and 2008 Series C to fund the San Francisco Electrical Reliability Project also referred to as the Combustion Turbine projects in the Public Utilities Commission for FY 2007-2008.
(Supervisor Alioto-Pier dissented in committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
Question: Shall this Ordinance be PASSED ON FIRST READING?
8. 080523 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets]
Supervisors Maxwell, Duffy, McGoldrick, Peskin
Ordinance approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco including a turbine upgrade agreement and electric and gas interconnection agreements and granting specified exceptions to the Administrative Code, and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section. 101.1.
(Supervisor Alioto-Pier dissented in Committee.)
- 5/13/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008.
Continued to June 3, 2008
5/20/2008, CONTINUED AS AMENDED.
Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 080577 [Approving agreements for the development of the City Combustion Turbine Projects at San Francisco International Airport and at 25th and Maryland Streets and adopting environmental findings]

Supervisors Maxwell, Dufty, McGoldrick, Peskin

Resolution approving agreements necessary for the development of the City Combustion Turbine Projects to be located at North Access Road and Clearwater Drive, San Francisco International Airport, and at Property Adjacent to the MTA Metro East Facility at 25th and Maryland Streets in San Francisco, including a design-build agreement and a power purchase agreement; and approving property agreements, including a jurisdictional transfer of property to accommodate the proposed projects, subject to further agreements among the affected City departments; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Elsbernd, seconded by Supervisor Chu, moved to amend further and continue this item as amended to June 3, 2008
Continued to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

10. 080524 [Authorizing the execution and delivery of certificates of participation to finance the San Francisco Combustion Turbine Projects and approving property leases, project leases and a trust agreement in connection therewith]

Supervisors Maxwell, Dufty, McGoldrick, Peskin

Resolution authorizing the execution and delivery of certificates of participation to finance the acquisition, construction, installation and equipping of natural gas-fired combustion turbine generation facilities on City-owned property located at 25th and Maryland Street in the Potrero neighborhood and at the San Francisco International Airport at the corner of North Access Road and Clearwater Drive; approving the form of a trust agreement between the City and County of San Francisco and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the forms of property leases between the City and the trustee relating to the Potrero site and to the San Francisco International Airport site; approving the forms of project leases between the trustee and the City (including certain indemnities contained therein) relating to each of the two Projects; approving the form of a Memorandum of Understanding between the San Francisco Public Utilities Commission and the City; approving the form of an official notice of sale and notice of intention to sell for the certificates of participation; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; and ratifying previous actions taken in connection therewith.
(Supervisor Alioto-Pier dissented in Committee.)

5/13/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Continued as amended to June 3, 2008

5/20/2008, CONTINUED AS AMENDED.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Daly, Chu

11. 080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings.
(Arts Commission)
(Supervisor Daly dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

12. 080606 [Revising Board of Appeals Surcharges]
Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 080607 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, information booth services, security services, and shuttle bus services (Airport); paratransit services, security services, citation information, janitorial and landscaping, meter collection and coin counting, towing services, and transit shelter maintenance and advertising (MTA); janitorial and security services. (Port)
(Mayor)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

14. 080657 [Priorities for Public Utilities Commission's expenditures from Sustainable Energy Account Funds]
Supervisor McGoldrick
Ordinance establishing priorities for expenditures by the Public Utilities Commission from the Sustainable Energy Account.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 071679 [Solar Energy Incentive Program]
Supervisor Dufty
Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.
(Assessor-Recorder)
(Supervisor Daly dissented in committee.)

2/26/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/26/2008, PASSED ON FIRST READING AS AMENDED.

3/4/2008, RE-REFERRED to Rules Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 080630 [Solar Energy Incentive Pilot Program]
Supervisor Mirkarimi
Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee*Present Supervisors Peskin, Maxwell*

17. 080540 [Authorizing the Committee on Information Technology to amend its contract with Central Computer Systems to increase its contract amount to \$29,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment to the Agreement between the City and Central Computer Systems (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$25,000,000 to \$29,000,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

18. 080541 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to increase the contract amount to \$43,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Eighth amendment between the City and En Pointe (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$35,000,000 to \$43,000,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 080542 [Authorizing the Office of Contract Administration to amend its contract with Micromenders/GC Micro to increase the contract amount to \$18,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Sixth amendment between the City and Micromenders/GC Micro (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract's amount to \$18,000,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. 080543 [Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to \$64,000,000]
Resolution authorizing the Office of Contract Administration to enter into the Tenth Amendment between the City and Xtech (part of the Computer Store procurement vehicle), in which the amendment shall increase the contract amount from \$51,000,000 to \$64,000,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Peskin

21. 080511 [Hunters Point Shipyard - Resolution of Intent for Street Vacation]
Resolution declaring the intention of the Board of Supervisors to vacate portions of Innes Avenue, Galvez Avenue and Donahue Street, in Hunters Point Shipyard Parcel "A1" along with public service easements that may exist in Parcel A1, all of Navy Road on Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcel A2; vacate any easements that may exist between the vacated areas in Parcel "A1" and "A2" as described in Ordinance No. 24-05; reserve a non-exclusive easement for the City combined sewer pipeline and appurtenant facilities within Navy Road; setting a hearing date of for all persons interested in the proposed vacation of said street areas and public service easements.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Peskin

22. 080512 [Hunters Point Shipyard - Street Vacation Order]
Ordinance ordering the vacation of portions of Innes Avenue, Galvez Avenue and Donahue Street in Hunters Point Shipyard Parcel "A1" and all of Navy Road in Hunters Point Shipyard Parcel "A2" along with public service easements that may exist in Parcels A1 and A2; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for a City combined sewer line and facilities; accepting Department of Public Works Order No. 177,478; and authorizing official acts in connection with this Ordinance.
(Public Works Department)
(Pending approval of File No. 080511 this matter will be continued to the July 8, 2008 Board of Supervisors meeting for a public hearing to be held at 4:00 p.m.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy

23. 080591 [Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program]
Supervisors Elsbernd, Maxwell
Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 080475 [Presidio Neighborhood Representative Work Group]

Supervisor Alioto-Pier

Resolution re-establishing the Presidio Neighborhood Representative Work Group to be comprised of representatives from affected neighborhoods and City Departments.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.*APPEAL PROCEDURES*

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

25. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]
- Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971, Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district. (Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)
- (Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

3/25/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to April 22, 2008

4/22/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.

Continued to June 3, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. **070911** **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008

Question: Shall this Motion be APPROVED?

27. **070912** **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008

Question: Shall this Motion be APPROVED?

28. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED Continued to September 18, 2007
9/18/2007, CONTINUED Continued to October 2, 2007
10/2/2007, CONTINUED Continued to October 30, 2007
10/30/2007, CONTINUED Continued to November 13, 2007
11/13/2007, CONTINUED Continued to December 4, 2007
12/4/2007, CONTINUED Continued to January 8, 2008
1/8/2008, CONTINUED Continued to January 29, 2008
1/29/2008, CONTINUED Continued to February 26, 2008
2/26/2008, CONTINUED Continued to March 11, 2008
3/11/2008, CONTINUED Continued to March 25, 2008
3/25/2008, CONTINUED Continued to April 22, 2008
4/22/2008, CONTINUED Continued to May 20, 2008
5/20/2008, CONTINUED Continued to June 3, 2008
- Question: Shall this Motion be APPROVED?**

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, June 2, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 3, 2008.

29. 080596 [Directing the Budget Analyst to conduct an audit of the SFMTA Proof of Payment Program to determine its effectiveness]
Supervisor Dufty
Motion directing the Budget Analyst to conduct a review of the San Francisco Municipal Transit Agency's (SFMTA) Proof of Payment Program to determine the effectiveness of the Proof of Payment Program over the past 3 years and the effectiveness of Transit Fare Inspectors and Station agents in preventing fare evasion.
- Question: Shall this Motion be APPROVED?**

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 32 through 40

32. 080683 [Called from committee and committee of the whole, Community Justice Center funding]
Supervisor Duffy
Motion calling from committee file number 080685, an ordinance removing reserve funding for a Community Justice Center; motion to sit as committee of the whole June 10, 2008.

5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. Pursuant to Rule 5.32, Supervisor Duffy called this measure from Budget and Finance Committee.
Question: Shall this Motion be APPROVED?
33. 080701 [Proclamation for Peace and Dignity Day on July 7, 2008 in San Francisco]
Supervisor Maxwell
Proclamation of the City and County of San Francisco to declare July 7, 2008 as Peace and Dignity Day.

5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
34. 080702 [CalHome Application]
Supervisor Chu
Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

35. 080703 [Approval of an extension for Planning Commission review - Residential Inclusionary Affordable Housing Program]
Supervisor Duffy
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Residential Inclusionary Affordable Housing Program of the Planning Code of the City and County of San Francisco to a date within 45-days of the completion of the environmental review, including any required hearings. The proposed Ordinance would specifically Ordinance amending the Residential Inclusionary Affordable Housing Program, including Planning Code Section 315.9 to allow for density bonuses to project applicants who develop on-site, affordable family-sized units as defined herein as part of their inclusionary housing requirements; and the addition of Planning Code Section 315.10 regarding severability and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
36. 080704 [90 day extension for Planning Commission review - Mission/Bernal Formula Restricted Use Subdistrict]
Supervisor Ammiano
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict and to amend Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
- 5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 080705 [60 day extension for Planning Commission review - The Metro Theatre]
Supervisor Alioto-Pier
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on a proposed Resolution that would initiate the designation of The Metro Theatre, 2055 Union Street, Lot 018 in Assessor's Block 0541, as a landmark pursuant to Section 1004.1 of the Planning Code.
- 5/20/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

38. 080634 [Final Map - 178 Bluxome Street]
Motion approving Final Map 4024, a 42 Unit Live - Work Condominium Project, located at 178 Bluxome Street being a subdivision of Lot 135 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,542; District 6.)

5/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 080635 [Final Map - 683 Brannan Street]
Motion approving Final Map 3963, a 39 Unit Live - Work Condominium Project, located at 683 Brannan Street being a subdivision of Lot 136 in Assessors Block No. 3785 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,543; District 6.)

5/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. 080637 [Final Map - 436 - 438 Clementina Street]
Motion approving Final Map 4550, a 20 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 436 - 438 Clementina Street being a subdivision of Lot 062 in Assessors Block No. 3732 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,549; District 6.)

5/16/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from May 13, 2008 to May 23, 2008, for reference by President to appropriate committee on June 3, 2008.

- 080709 [Settlement of City's Lawsuit Against Defendant Coral Energy Resources, L.P. - \$277,000]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Coral Energy Resources, L.P.; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$277,000 to the City from defendant Coral Energy Resources, L.P. (City Attorney)

5/22/2008, RECEIVED AND ASSIGNED to Rules Committee.

- 080710 [Settlement of City's Lawsuit Against Defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni - \$297,500]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendants Reliant Energy Services, Inc., Reliant Energy, Inc. (f/k/a Reliant Resources, Inc.), and Mary Kathleen Zanaboni ("Reliant"); the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately \$297,500 to the City from the Reliant defendants. (City Attorney)

5/22/2008, RECEIVED AND ASSIGNED to Rules Committee.

- 080719 [Building Code - fee adjustment]
Ordinance amending the Building Code to amend various sections and fee schedule tables to adjust fees or permits, inspections, and other actions. (Building Inspection Department)

5/23/2008, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/3/2008.

- 080720** [Landmark Designation of 1969 California Street (Tobin House)]
Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

5/23/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 13, 2008 to May 23, 2008, for reference by President to appropriate committee on June 3, 2008.

- 080707** [Homeland Security Grants]
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under the FY 08 Homeland Security Grant Program (which includes the FY 08 Urban Areas Security Initiative (UASI) grant, the FY 08 Metropolitan Medical Response System (MMRS) grant, the FY 08 Citizen Corps Program (CCP) grant, and the FY 08 State Homeland Security Grant Program), the FY 07 and FY 08 Buffer Zone Protection Program (BZPP) grant, the FY 08 Hazard Mitigation Grant, the FY 08 Pre-Disaster Mitigation Grant, the FY 08 Emergency Management Performance Grant (EMPG), the FY 07 and FY 08 Regional Catastrophic Preparedness Grant Program (RCPGP), or any other federally funded grant program and Public Law 110-161.
(Mayor)

5/14/2008, RECEIVED AND ASSIGNED to Public Safety Committee.

- 080708** [Recorder's fee for Social Security Number Truncation Program - \$1.00]
Ordinance amending Chapter 8 of the San Francisco Administrative Code by adding Section 8.24.7, to authorize an additional \$1.00 recording fee to fund the Social Security number truncation program, and making environmental findings.
(Assessor-Recorder)

5/19/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

- 080718** [Approval of FY08-09 Expenditure Plan for the Human Services Care Fund]
Resolution approving the FY08-09 Expenditure Plan for the Human Services Care Fund.
(Human Services Department)

5/22/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080715 [Petitions and Communications, Part 1]

Petitions and Communications received from May 13, 2008 through May 23, 2008 for reference by the President to June 3, 2008. Part 1 (Items 1 through 60)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 12:45p.m. on Tuesday, May 13, 2008 until 5:30p.m. on Thursday, May 15, 2008. Copy: Each Supervisor. (1)

From Office of the Controller, submitting report on San Francisco's Police District Station Boundaries Analysis. File 080612. (2)

From Office of the Budget Analyst, submitting report on Audit of the Recreation and Park Department's Cash Handling Practices. (3)

From Ahimsa Porter Sumchai, M.D., submitting an article regarding Erin Brockovich. (4)

From Philip Snyder, urging the Board to approve the increase of the Municipal Railway budget. (5)

From George Davis, regarding a complaint against Captain James Dudley with the Police Department. (6)

From M.J. Wagoner, commenting on the proposed legislation on prohibiting pharmacies from selling tobacco products. File 080594, Copy: Each Supervisor. (7)

From concerned citizens, commenting on the Combustion Turbine Peaker Project. File 080523, Copy: Each Supervisor, 46 letters. (8)

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor, 4 letters. (9)

From Patrick Monette-Shaw, submitting testimony regarding mayoral veto override concerning audio and video recording of public meetings held in City Hall hearing room. File 071596. (10)

From Library Users Association, submitting a copy of the San Francisco Library Commission draft legislation regarding library fees and fines. Copy: Each Supervisor, 2 letters. (11)

From Sunshine Ordinance Task Force, regarding complaint #07096 of Kimo Crossman and the March 10, 2008 Order of Determination against the Mayor's Office. Copy: Each Supervisor. (12)

From Mayor's Memorial Day Citizen's Committee, submitting a letter to Supervisor Peskin seeking assistance. (13)

From Sophia Papageorgiou, submitting letter to various departments regarding handicapped parking spaces in municipal parking garage. (14)

From Andrea O'Leary, commenting on Recreation and Park proposals for budget cut. (15)

From Fire Department, submitting Fire/Life Safety Inspection Reports from various Adult/Juvenile Detention Facilities. (16)

From Parkmerced Residents' Organization, commenting on proposed legislation regarding the passthrough from landlord to residential tenant of water and sewer services cost. File 080436, Copy: Each Supervisor. (17)

From Marianne Hesse, urging the Board to release funds for the Community Justice Center. File 080001, Copy: Each Supervisor. (18)

From Parkmerced Residents' Organization, submitting a letter to Rules Committee regarding creating a Parkmerced Neighborhood Representative Work Group. Copy: Each Supervisor. (19)

From Parkmerced Residents' Organization, submitting comments regarding various items on the May 13, 2008 Board Meeting. File 080562, 071596, 080622 & 080609, Copy: Each Supervisor. (20)

From Mim Ellis, submitting an article regarding aerial spraying. Copy: Each Supervisor (21)

From Parkmerced Residents' Organization, submitting a letter regarding information brochures for new tenants. Copy: Each Supervisor. (22)

From Parkmerced Residents' Organization, submitting a letter to Land Use and Economic Development Committee regarding enforcement of the general advertising sign on buildings. File 080525, Copy: Each Supervisor. (23)

From Parkmerced Residents' Organization, submitting a letter to Land Use and Economic Development Committee regarding Public Education Fund and Rainy Day Reserve Fund. File 080142 & 080143, Copy: Each Supervisor. (24)

From Robert P. Varni, commenting on draft ordinance aimed at restructuring the Veterans Affairs Commission. Copy: Supervisor Peskin. (25)

From Troy Nickol, urging the Board reconsider the zoning map amendments in connection with the Bayview Hunters Point Area Plan. File 080338, Copy: Each Supervisor. (26)

From Precita Valley Neighbors, urging the Board to reject the Solar Energy Incentive Pilot Program. File 080630. (27)

From Ahimsa Porter Sumchai, M.D., submitting an article regarding energy security, cost reduction and environmental protection. File 080648, Copy: Each Supervisor. (28)

From Office of the Controller, submitting Biannual Overtime Report. (29)

From Recreation and Park Department, submitting 3rd Quarter of FY 07-08 report regarding Childhood Lead Poisoning Prevention Program. (30)

From Alan Blackman, urging the Board to support the Sierra Club's campaign to bring solar energy to San Francisco. (31)

From Aliza Wasserman, commenting on the Community Choice Aggregation. Copy: Each Supervisor. (32)

From Planning Department, submitting the 25-Day Report regarding interim moratorium on tobacco paraphernalia retail stores. File 080237, Copy: Each Supervisor. (33)

From Colleen Fernald, commenting on various issues regarding California Democratic Party. (34)

From Benjamin Kerensa, commenting on the Care Not Cash Program. (35)

From Department of the Environment, submitting a request for release of reserved funds for Environmental Justice grant program. (36)

From Natural Resources Defense Council, clarifying the institution's position regarding the Potrero Combustion Turbine Project. File 080523, Copy: Each Supervisor. (37)

From concerned organizations, urging the Board to reject Public Library's fines and fees legislation. Copy: Each Supervisor, 2 letters. (38)

From Doc Jordan, commenting on various environmental issues in the City. (39)

From Department of Elections, submitting an Emergency Plan for June 3, 2008 Election. (40)

From U.S. Army Corps of Engineers, submitting public notice regarding statewide mitigation banking templates and checklists. (41)

From Francisco Da Costa, submitting articles from www.indybay.org regarding various issues. 3 letters. (42)

From Natural Resources Defense Council, commenting on revenues for the Electrical Reliability Power project. File 080592. (43)

From concerned citizens, commenting on unsolicited print publications and plastic bags littering problem. File 080380, Copy: Each Supervisor, 11 letters. (44)

From North Beach Neighbors, commenting on the proposed library fees and fines legislation. Copy: Each Supervisor. (45)

From Ann Garrison, submitting an article regarding military. (46)

From Office of Contract Administration and Office of the Controller, responding jointly to the Board's inquiry requesting to assess the potential benefits of the California Strategic Sourcing Initiative. (Reference 20080415-012) (47)

From Russell Kilday-Hicks, commenting on proposed budget cuts to the CSU and CCC systems. File 080670, Copy: Each Supervisor. (48)

From Phyllis Hunt, submitting comments against the proposed amendment to divide the power to nominate members of the Municipal Transportation Agency's Board of Directors. File 080644, Copy: Each Supervisor. (49)

From concerned citizen, commenting on the Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 5 letters. (50)

From James Chaffee, commenting on slide show graphics and Video on Demand hearings in City Hall. Copy: Each Supervisor. (51)

From concerned citizen, commenting on www.craigslist.org. Copy: Each Supervisor. (52)

From Department of Public Works, submitting County Surveyor results of the findings regarding Tentative Map for 43 - 45 Lansing Street. File 080677. (53)

From Office of the Treasurer, submitting portfolios on investment activities under the Treasurer's management for FY July 1, 2007 to April 30, 2008. (54)

From Edward Hong, commenting on aerial spraying of the Light Brown Apple Moth. Copy: Each Supervisor. (55)

From Philip Snyder, submitting support relating to Community Courts hold people accountable for unlawful actions that deteriorate the environment. (56)

From concerned citizen, submitting a complaint against Supervisor Chris Daly. Copy: Each Supervisor. (57)

From Jason Roach, submitting a letter to Supervisor Maxwell regarding Potrero Hill neighborhood. Copy: Supervisor Maxwell. (58)

From Police Commission, regarding the election result of president and vice president of the Police Commission. Copy: Each Supervisor. (59)

From Municipal Transportation Agency, responding to an inquiry regarding various issues. (60)

080716 [Petitions and Communications, Part 2]

Petitions and Communications received from May 13, 2008 through May 23, 2008 for reference by the President to June 3, 2008, Part 2 (Items 61 through 73)

From Office of the Clerk of the Board, regarding the Mayor's appointments to various Commissions. (61)

From Michael Addario, submitting opposition to the proposed increase in Street Artist certificate fee and rate of compensation for the Advisory Committee of Street Artists and Crafts Examiners. File 080514, Copy: Each Supervisor. (62)

From Office of Historic Preservation, regarding the national register of historic places nomination for uptown tenderloin historic district. Copy: Each Supervisor. (63)

From Mayor Newsom, designating various Supervisors as Acting-Mayor from 9:00a.m. on Sunday, May 25, 2008 until 9:35p.m. on Thursday, May 29, 2008. Copy: Each Supervisor. (64)

From Wayne Lanier, commenting on the 2008 Bay to Breakers. 2 letters. (65)

From Municipal Transportation Agency, submitting a letter from Paratransit Coordinating Council regarding the addition of an inspector position at the Taxi Commission. Copy: Each Supervisor. (66)

From Department of Public Health - Environmental Health Section, submitting summary status of the Medical Cannabis Dispensary inspection program in San Francisco. Copy: Each Supervisor. (67)

From Craig Kartisek, commenting on neighborhood-wide chain store ban. Copy: Each Supervisor. (68)

From Tay Feder, commenting on consolidation of police districts. (69)

From concerned citizen, commenting on neglecting of Mt. Davidson Park. (70)

From Mary Robinson, commenting on various issues relating to Golden Gate Bridge. (71)

From Dr. Ahimsa Porter Sumchai, submitting an article regarding Lennar Corporation. (72)

From Mirna Escobar, commenting on various issues relating to public housing. (73)

APPOINTMENT BY THE MAYOR

Commission on the Status of Women
Andrea Shorter

Port Commission
Ann Lazarus

Planning Commission
Gwyneth Borden

Taxi Commission
Susan Suval

Fire Commission
Susan Christian

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 10, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday

1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices; (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the May 6, 2008 Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 and 2

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

1. 080606 [Revising Board of Appeals Surcharges]
Ordinance amending Section 10G.1 of the San Francisco Administrative Code to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the Taxi Commission, the Police Department, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals, and making environmental findings.
(Mayor)

6/3/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Daly, Dufty

2. 080591 [Local Business Enterprise and Non-Discrimination in Contracting Bonding and Financial Assistance Program]

Supervisors Elsbernd, Maxwell, Chu, Dufty

Ordinance extending the term of the bonding assistance program to end on the earlier of (1) June 30, 2013 or (2) the date on which the Controller is no longer able to certify the availability of funds for any new guarantee agreement.

6/3/2008, PASSED ON FIRST READING. Supervisor Chu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 080091 [Treasure Island Affordable Housing]
Resolution encouraging the Treasure Island Development Authority and Mayor's Office of Housing to explore how to increase the percentage of affordable housing to include 50% affordable housing in the Disposition and Development Agreement for the Former Naval Station Treasure Island.

2/26/2008, CONTINUED Continued to June 10, 2008

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Daly, Chu

4. 080514 [Increasing Street Artist Certificate Fee and Increasing Rate of Compensation for the Advisory Committee of Street Artists and Crafts Examiners]
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and amending Section 2402 to increase the rate of compensation for the Advisory Committee of Street Artists and Craftsmen Examiners, and making environmental findings.
(Arts Commission)
(Supervisor Daly dissented in committee.)

6/3/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

**5. 071679 [Solar Energy Incentive Program]
Supervisor Dufty**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

(Assessor-Recorder)

(Supervisor Daly dissented in committee.)

2/26/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

2/26/2008, PASSED ON FIRST READING AS AMENDED.

3/4/2008, RE-REFERRED to Rules Committee.

6/3/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Board of Supervisors Sitting as a Committee of the Whole

6. 080789 [Solar Energy Incentive Pilot Program]

Hearing to consider an Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

**7. 080630 [Solar Energy Incentive Pilot Program]
Supervisor Mirkarimi**

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator.

6/3/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

6/3/2008, CONTINUED AS AMENDED.

Continued as amended to June 10, 2008 with Board Sitting as a Committee of the Whole.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Chu

8. 080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]
Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Mirkarimi, Daly, Chu

9. 080585 [Approval of the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan]
Resolution approving the Mental Health Services Act Workforce Development Education and Training Three Year Program and Expenditure Plan (WET Plan) and authorizing the amendment of the MHSA Agreement to include this Plan in the agreement.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Maxwell

10. 080348 [Enterprise Zone Designation]
Mayor, Supervisor Peskin
Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

11. 080350 [Enterprise Zone Tax Credit Law]
Mayor
Draft Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council and to establish a sunset date.
(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 080596 [Directing the Budget Analyst to conduct an audit of the SFMTA Proof of Payment Program to determine its effectiveness]
Supervisor Dufty
Motion directing the Budget Analyst to conduct a review of the San Francisco Municipal Transit Agency's (SFMTA) Proof of Payment Program to determine the effectiveness of the Proof of Payment Program over the past 3 years and the effectiveness of Transit Fare Inspectors and Station agents in preventing fare evasion.

Question: Shall this Motion be APPROVED?

13. 080584 [Outreach Advertising for FY 2008-2009]
Resolution designating San Francisco Bay View to be the outreach newspaper of the City and County for the African American community, Asian Week, Sing Tao Daily and China Press to be the outreach newspaper of the City and County for the Chinese community, Bay Area Reporter and the Bay Times to be the outreach newspaper of the City and County for the Gay, Lesbian, Bisexual community and the El Reportero to be the outreach newspaper of the City and County for the Hispanic community, to provide outreach advertising services for Fiscal Year 2008-2009.
(Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Ammiano, Maxwell

14. 080583 [Official Advertising for FY 2008-2009]
Resolution designating the Examiner the official newspaper of the City and County of San Francisco for all official advertising for Fiscal Year 08-09.
(Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

CALLED FROM COMMITTEE

Board of Supervisors Sitting as a Committee of the Whole

15. 080684 [Public Hearing - Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]
Supervisor Duffy
Hearing of persons interested in or objecting to proposed Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the \$500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

16. 080685 [Amending Ordinance 174-07 to Remove Funding Reserve for the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008]
Supervisor Duffy
Ordinance amending the Annual Appropriation Ordinance, Ordinance 174-07 File Number 070773, to remove the \$500,000 reserve on the Community Justice Center in the Mayor's Office for Fiscal Year 2007-2008.
(Fiscal Impact.)

5/20/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

6/3/2008, CALLED FROM COMMITTEE. Pursuant to Rule 5.32 this measure was called from Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

CALLED FROM COMMITTEE

17. 080484 [Sublease of Real Property at 555 Polk Street]
Mayor
Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.
(Fiscal Impact.)

5/20/2008, CALLED FROM COMMITTEE. Pursuant to Rule 5.31.1 Supervisors Duffy, Elsbernd, Maxwell and Alioto-Pier called this measure from Budget and Finance Committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M

18. 080631 [Public Hearing - Report of Assessment Costs for Sidewalk and Curb Repairs]
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Action: _____

19. 080632 [Report of Assessment Costs for Sidewalk and Curb Repairs]
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M

20. 080677 [Public Hearing - Appeal of Tentative Final Map for 43-45 Lansing Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 5, 2008, affirming the approval of Tentative Final Map to construct a new 227 unit residential condominium project located at 43-45 Lansing Street, Lot 059 in Assessor's Block No. 3749.
(Appellant: Jeremy Paul on behalf of Michael Vriheas)
(District 6.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

21. 080678 [Approving decision of the Director of Public Works and approving the Tentative Map for 43-45 Lansing Street]
Motion approving the decision of the Director of Public Works, finding the Tentative Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
22. 080679 [Disapproving decision of the Director of Public Works and disapproving the Tentative Map for 43-45 Lansing Street]
Motion disapproving the decision of the Director of Public Works concerning the Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059, and disapproving the subdivision.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
23. 080680 [Findings - 43-45 Lansing Street Tentative Map]
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 227-unit subdivision located at 43-45 Lansing Street, Assessor's Block 3749, Lot 059.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

24. 080694 [Public Hearing - Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]
Supervisor Maxwell
Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.
- Action: _____
25. 080695 [Disposition and Development Agreement - Redevelopment Agency owned land for 4800 Third Street]
Supervisor Maxwell
Resolution approving the Redevelopment Agency of the City and County of San Francisco's Disposition and Development Agreement (the "Agreement") for a portion of Assessor's Block 5322, Lot 45 commonly known as 4800 Third St Street, to Green Blended Communities, L.L.C., for the purpose of developing affordable for-sale housing for lower income households.

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, June 5, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 10, 2008.

26. 080706 [Appointment, Board of Appeals - Kendall Goh]
Motion approving Board of Supervisors President Peskin's appointment of Kendall Goh to the Board of Appeals for the term ending July 1, 2008, and the term ending July 1, 2012.

Question: Shall this Motion be APPROVED?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Thursday, June 5, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 10, 2008.

27. 080617 [Accept-expend federal grant funds, Fire Department - \$1,173,212]
Supervisor Elsbernd
Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of \$1,173,212 from the Federal Emergency Management Agency (FEMA) to develop and implement a Wellness and Fitness Program.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, June 9, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 10, 2008.

**28. 080783 [Intention to form the Broadway Entertainment Corridor Community Benefit District]
Supervisor Peskin**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Broadway Entertainment Corridor Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

**29. 080784 [Intention to form the Yerba Buena Community Benefit District]
Mayor**

Resolution (1) declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Yerba Buena Community Benefit District" and levy a multi-year assessment on identified parcels in the district, (2) approving the management district plan and engineer's report and proposed boundaries map for the district, (3) ordering and setting a time and place for a public hearing thereon, (4) approving the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

Question: Shall this Resolution be ADOPTED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee.

Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 32 through 35

32. 080785 [Lymphoma Research Foundation Day - June 8, 2008]

Supervisor Peskin

Resolution declaring June 8, 2008 "Lymphoma Research Foundation Day" in San Francisco.

6/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

33. 080786 [Grant to support resident transitions at Laguna Honda Hospital - \$10,000]

Supervisor Elsbernd

Resolution authorizing the San Francisco Department of Public Health – Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of \$10,000 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of September 1, 2007 through June 30, 2008.

6/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 080787 [Commending Wooly Wolverton]

Supervisor Dufty

Resolution commending Wooly Wolverton.

6/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 080788 [Condemning Chevron Corporation for its domestic and international business practices]

Supervisors Ammiano, Daly, Mirkarimi, Peskin

Resolution condemning Chevron Corporation for a systematic pattern of ethically questionable investments, complicity in human rights abuses, and environmental devastation in countries and communities in which it operates.

6/3/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from May 27, 2008 to June 2, 2008, for reference by President to appropriate committee on June 10, 2008.

080796 [Amending Ordinance 202-07 and authorizing award of contract for Construction Manager/General Contractor services for the San Francisco General Hospital Rebuild Program]

Ordinance amending Ordinance 202-07 to add Drywall Subcontractor to the list of authorized Core Subcontractors for the San Francisco General Hospital Rebuild Program and authorizing the award of a contract for Construction Manager/General Contractor services for the San Francisco General Hospital Rebuild Program.
(Public Works Department)

6/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from May 27, 2008 to June 2, 2008, for reference by President to appropriate committee on June 10, 2008.

- 080673 [San Francisco Public Utilities Commission Cross Connection Controls Project]**
Resolution adopting Final Mitigated Negative Declaration, and adopting findings pursuant to the California Environmental Quality Act (CEQA), including the Mitigation Monitoring and Reporting Plan, related to use of appropriated funds for San Francisco Public Utilities Commission (SFPUC) Cross Connection Controls Project.
(Public Utilities Commission)
- 5/30/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.
- 080674 [IHSS Contract Approval - IHSS Consortium of San Francisco]**
Resolution to amend Resolution # 051123 approved on August 18, 2005 approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of \$51,433,291.
(Human Services Department)
- 6/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080675 [Approval of a contract amendment with InfoMc, Inc. to support and maintain the eCURA application in use by the Community Behavioral Health Services unit of the Department of Public Health]**
Resolution authorizing the San Francisco Department of Public Health (DPH), to enter into a contract amendment with InfoMc, Inc. for the continued maintenance of proprietary InfoMc, Inc. applications for a new term July 1, 1999 through June 30, 2011.
(Public Health Department)
- 6/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080764 [Ratification of increases to prior professional service contracts for health and behavioral health services]**
Resolution approving amendment to Resolution No. 702-06, which ratified prior professional service contracts for the San Francisco Department of Public Health for health and behavioral health services and approved three year extensions, to increase the amounts of five of those contracts.
(Public Health Department)
- 6/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.
- 080797 [Authorizing award of architectural and engineering design services contract for the San Francisco General Hospital Rebuild Program]**
Resolution authorizing the award of an architectural and engineering design services contract for the San Francisco General Hospital Rebuild Program.
(Public Works Department)
- 6/2/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080798 [Petitions and Communications]

Petitions and Communications received from May 27, 2008 through June 2, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 10, 2008.

From Planning Department, responding to Supervisor Dufty's inquiry regarding feasibility of creating an "Upper Noe Valley Residential Character District". (Reference 20080415-010) (1)

From Human Rights Commission, submitting copies of several Humna Rights Commission - Waiver Request Forms from Animal Care & Control. (2)

From concerned citizens, commenting on the Below Market Rate Condominium Conversion Program. File 080520, Copy: Each Supervisor, 5 letters. (3)

From Francisco Da Costa, submitting an analysis report regarding Proposition G. (4)

From Office of the Clerk of the Board, regarding Mayor's appointments to various Boards and Commissions. (5)

From Parkview Heights Homeowners' Association, requesting the Board's assistance in removing public trashcans on the south side of Potrero Hill. Copy: Supervisor Mirkarimi. (6)

From Vicky Rene Manning, submitting a letter to Investigations Unit - Financial Identity Theft Victim regarding her financial identity theft issues. (7)

From Francisco Da Costa, submitting an article from www.indybay.org. (8)

From Department of Elections, regarding preparations for the June 3, 2008 Consolidated Statewide Direct Primary Election. (9)

From Round the Diamond, submitting a letter to the Port Commission regarding Piers 27-31/Piers 30-32. Copy: Each Supervisor. (10)

From Ahimsa Porter Sumchai, M.D., submitting a letter to UCSF regarding incorporating CleanMed technology. (11)

From Bruce Logan, urging the Board to exempt STOP program from any budget cuts. (12)

From Department of Public Health – Environmental Health Section, submitting status summary of the Medical Cannabis Dispensary inspection program. (13)

From Ann Garrison, submitting articles from various websites regarding natural gas. File 080523, Copy: Each Supervisor, 2 letters. (14)

From Mike Regan, commenting on tax increase. (15)

From Mirna Escobar, submitting a letter to Housing Authority requesting to change the policy and lease agreement in writing. (16)

From Department of Elections, regarding Civic Center parking changes for June 3, 2008 Consolidated Statewide Direct Primary Election. Copy: Each Supervisor. (17)

From Office of Contract Administration, regarding official advertising change to the Examiner's publication schedule. File 080583. (18)

From Mirna Escobar, submitting a letter to Animal Care and Control requesting removal of cats and

kittens from a tenant at Woodside Gardens Senior & Disabled Development. (19)

From Mirna Escobar, commenting on lack of management and security at Woodside Gardens Senior & Disabled Development. 2 letters. (20)

From Consulate General of the People's Republic of China, submitting a letter of appreciation to the Board for their expression of sympathy and condolence to the victims and families as well as rescue workers of the earthquake that struck central China on May 12, 2008. Copy: Each Supervisor. (21)

From Dr. Ahimsa Porter Sunchai, submitting testimony to Congressman Brad Miller regarding the investigation of the Centers for Disease Control and Prevention (CDC) cover up of toxic dust. (22)

From Public Utilities Commission Citizens Advisory Committee, submitting a resolution in strong support of the SFPUC Solar Incentive Pilot Program. File 080425. (23)

From Office of the Sheriff, submitting a copy of the Waiver Request Form for the purchase of gasoline using Chevron USA cards. (24)

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor, 5 letters. (25)

From Alliance for a Better District 6, submitting suggestions to proposed legislation regarding prohibition on loitering outside nightclubs. File 080322. (26)

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry regarding feasibility of establishing an ALL-WAY STOP at the intersection of Brunswick Street and Concord Street. (Reference 20080422-002) (27)

From Department of the Environment, submitting 2007 Resource Conservation Ordinance Annual Report. Copy: Each Supervisor. (28)

From Judy Junghans, opposing to the proposed legislation on library fees and fines. Copy: Each Supervisor. (29)

From Office of the Treasurer & Tax Collector, submitting 2007 Clean Energy Technology Business Exclusion Annual Report. (30)

From Office of the Treasurer & Tax Collector, submitting 2007 Biotechnology Exclusion Annual Report. (31)

From Office of the Treasurer & Tax Collector, submitting 2007 Tax Credit Annual Report. (32)

From Municipal Transportation Agency, responding to Supervisor Sandoval's request concerning the appropriateness of installing traffic signals on Alemany Boulevard at either Theresa or Cotter Streets. (Reference 20080422-001) (33)

From Human Services Agency, submitting details of the planning processes undertaken in the Family and Children's Services Division. Copy: Each Supervisor. (34)

From Kimo Crossman, submitting a complaint against the Clerk of the Board regarding not providing signature on e-mails. (35)

From Bryan Alexander, urging the Board to reconsider the proposed budget cuts to mental health, substance abuse, and HIV/AIDS services. (36)

From Mirna Escobar, submitting complain letter to Housing Authority regarding various issues and concerns. (37)

From T-Mobile USA, Inc., submitting a copy of a notification letter regarding a utility's intent to construct a cellular facility. (38)

From Kimo Crossman, submitting a complaint regarding Rules Committee meeting agenda for June 5, 2008 not linking to underlying packets for each agenda item. (39)

From David Ball, commenting on parking citations. (40)

From Kimo Crossman, submitting a complaint regarding the Office of the Clerk of the Board's new policy. 2 letters. (41)

From Joe Motta, commenting on concerns regarding panhandlers in the Castro District. Copy: Supervisor Duffy. (42)

From Office of the Controller, submitting Office of Economic Analysis Report regarding Expanding the Local Enterprise Zone Tax Credit: Economic Impact Report. File 080350, Copy: Each Supervisors. (43)

From Gerri Hayes, commenting on various issues and concerns relating to Hayes Valley Neighborhood. (44)

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (45)

Police Department
Rent Board

From Bryan Addy, submitting a letter to Supervisor Duffy commenting on various issues and concerns. (46)

From Department of the Environment, submitting first year report on the Food Service Waste Reduction Ordinance. (47)

From Strategic Planning for Small Business, urging the Board to approve the Solar Energy Incentive Program. File 071679. (48)

From concerned citizens, commenting on Community Choice Energy. 17 letters. (49)

From concerned citizens, commenting on unsolicited print publications—stop distribution notice. File 080380, 10 letters. (50)

From concerned citizen, commenting on various issues relating to state elections. (51)

From Fire Department, submitting a letter to Supervisor Alioto-Pier regarding her inquiry for jurisdiction of the fire station in the Presidio, Ft. Mason and Ft. Baker. (Reference 20080408-007) (52)

From Jeffrey Reiken Charles Gary Johnson, requesting the Board's support in obtaining a permit to operate a free mobile soup kitchen program. (53)

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 17, 2008 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

JUN 13 2008

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BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday

1:00 PM

1st and 3rd Thursday

3:30 PM

1st and 3rd Thursday

1:00 PM

1st and 3rd Monday

10:00 AM

Monday

1:00 PM

2nd and 4th Monday

10:00 AM

1st and 3rd Thursday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendation of the Budget and Finance Committee

Present: Supervisors: McGoldrick, Elsbernd, Chu

1. 080605 [Motor Vehicles for Hire; Permit Application and License Renewal Fees]
Ordinance amending the San Francisco Police Code by amending Sections 2.26.1 and 2.27.1 to increase certain motor vehicle for hire permit application and license renewal fees.
(Mayor)

6/10/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

2. 080654 [Grant funds to support HIV/AIDS treatment and prevention services - \$1,244,866]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a new grant in the amount of \$1,244,866 from the Department of Health & Human Services - Centers for Medicare & Medicaid Services (DHHS-CMS) to support a project entitled "Improving HIV/AIDS Treatment and Prevention Services," for the period of July 1, 2008 through June 30, 2009.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Mirkarimi, Dufty

3. 080707 [Homeland Security grants]
Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California under the FY 08 Homeland Security Grant Program (which includes the FY 08 Urban Areas Security Initiative (UASI) grant, the FY 08 Metropolitan Medical Response System (MMRS) grant, the FY 08 Citizen Corps Program (CCP) grant, and the FY 08 State Homeland Security Grant Program), the FY 07 and FY 08 Buffer Zone Protection Program (BZPP) grant, the FY 08 Hazard Mitigation Grant, the FY 08 Pre-Disaster Mitigation Grant, the FY 08 Emergency Management Performance Grant (EMPG), the FY 07 and FY 08 Regional Catastrophic Preparedness Grant Program (RCPPG), or any other federally funded grant program and Public Law 110-161.
(Mayor)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present Supervisors Daly, Duffy, Ammiano

4. 080628 [Settlement of Lawsuit - CCSF v. Competent Builders, Inc. - \$510,000]
Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v. Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148) in the amount of \$510,000 paid to San Francisco by Competent Builders, Inc., and its subcontractors.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 080629 [Settlement of Lawsuit - Tamara Josi - \$75,000]
Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San Francisco for \$75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 080372 [Appointments - Veterans Affairs Commission - George Gibbs and Dara Wong]
Motion appointing George Gibbs and Dara Wong, terms ending January 31, 2012, to the Veterans Affairs Commission.
George Gibbs, succeeding himself, term expired, seat 6, must be a veteran with a physical disability, for a four year term ending January 31, 2012;
Dara Wong, succeeding Cheryl Cook, term expired, seat 9, must be an at-large appointment, for a four year term ending January 31, 2012.

Question: Shall this Motion be APPROVED?

7. 080611 [Appointment - Sunshine Ordinance Task Force - David Waggoner]
Motion appointing David Waggoner, term ending April 27, 2010, to the Sunshine Ordinance Task Force.
David Waggoner, succeeding Doug Comstock, term expired, seat 6, must be experienced in Consumer Advocacy, for a two-year term ending April 27, 2010.

Question: Shall this Motion be APPROVED?

8. 080712 [Appointments - Child Care Planning and Advisory Council - Margaret Jerene and David Fleishman]
- Motion appointing Margaret Jerene, term ending December 31, 2010, residency requirement waived and David Fleishman, term ending December 31, 2009, to the Child Care Planning and Advisory Council.
- Margaret Jerene, succeeding herself, term expired, seat 1, must be a nominee of District 1 Supervisor, for three-year term ending December 31, 2010 (residency waiver required).
- Must be selected from parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative". Initial term two years beginning 1/1/03, subsequent terms 3 years.
- David Fleishman, succeeding himself, term expired, seat 2, must be a nominee of District 2 Supervisor, for three-year term ending December 31, 2009.
- Must be selected from parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative". Initial term four years beginning 1/1/03, subsequent terms 3 years.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

9. 080630 [Solar Energy Incentive Pilot Program]
Supervisor Mirkarimi

Ordinance creating a Solar Energy Incentive Pilot Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; imposing duties and responsibilities on the program administrator; and establishing requirements applicable to the long-term solar incentive program.

6/3/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

6/3/2008, CONTINUED AS AMENDED.

Continued as amended to June 10, 2008 with Board Sitting as a Committee of the Whole.

6/10/2008, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

6/10/2008, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

10. 080723 [Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]
Mayor
Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
11. 080724 [Interim Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]
Mayor
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
12. 080727 [Redevelopment Agency Interim Budget]
Mayor
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2008-2009.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)
- Question: Shall this Resolution be ADOPTED?

13. 080729 [Treasure Island Development Authority Interim Budget]
Mayor
Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2008-2009.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Chu, McGoldrick, Elsbernd

14. 080545 [Liquor License Expansion, 503 Jones Street]
Resolution determining that the expansion of a bar with a Type 48 on-sale general public premises liquor license currently issued to Brian Sheehy at 501 Jones Street to include the location of 503 Jones Street (District 6), for Bourbon & Branch bar, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Chu, Elsbernd

15. 080501 [Liquor License, 1419 18th Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Joel Bleskacek for Ruby Wine, LLC dba Ruby Wine, located at 1419 18th Street (District 10), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

16. 080388 [Liquor License, Pier 39, Space N213A]
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Tiffany M. Pisoni for Wines of California wine bar, located at Pier 39, Space N213A (District 3), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
(Supervisor McGoldrick excused from voting in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Maxwell

17. 080779 [Closure of the Potrero Power Plant]
Supervisors Maxwell, Dufty, McGoldrick, Peskin, Daly, Sandoval, Mirkarimi
Resolution urging the Public Utilities Commission and the City Attorney to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant; and establishing minimum criteria for any in-City generation projects to close the Potrero Power Plant.

Question: Shall this Resolution be ADOPTED?

18. 080397 [Agreement to Purchase Property in Tuolumne County- \$376,000]
Resolution approving and authorizing an agreement for the purchase of approximately 39 acres of unimproved land near Moccasin in Tuolumne County, for the protection of water quality for a purchase price of \$376,000; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 080563 [Eliminating Health Care Disparities]
Supervisor Maxwell
Resolution outlining the Board of Supervisor's commitment to eliminating health disparities and adopting the Leading Health Indicators set by Healthy People 2010 as the basis for public health priority-setting and decision-making.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

20. 080589 [Agreement to Accept the Dolores Hotel Located at 35-37 Woodward Street]
Resolution approving and authorizing the execution and performance of an Agreement to Transfer and an Irrevocable Assignment and Assumption Agreement and Amendment to Loan Documents relating to the property commonly known as Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the transfer is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

21. 080095 [Requirements for off-street parking and loading]
Supervisor Peskin
Ordinance amending the San Francisco Planning Code by amending Section 150 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 151 to reduce the required number of parking spaces for housing for seniors and physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities; amending Section 154 to revise the minimum dimensions for off-street parking spaces, to encourage space-efficient parking and to no longer require independently accessible parking and define independently accessible parking to include parking accessed by automated garages or car elevators and valet parking; amending Section 155 to delete a requirement for independently accessible parking and require parking design to prevent bicycle and transit lane conflicts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 167 to provide for optional parking in all new residential buildings or conversions to residential buildings of 10 units or more; amending Section 204.5 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 790.10 to include a car-share parking space as part of a community residential parking use; amending Section 890.7 to include a car-share parking space as part of a community residential automobile parking lot use; amending Section 890.8 to include a car-share parking space as part of a community residential automobile parking garage use; and adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

22. 080527 [Requiring Assessor to report reductions of real property assessments]
Supervisors Sandoval, Peskin, Daly
Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 080529 [Requiring Activation of Closed Captions on Television Receivers]
Supervisors Alioto-Pier, Duffy, Ammiano
Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 080698 [Confirming the reappointment of Ann Blumlein Lazarus to the San Francisco Port Commission]
Mayor
Motion confirming the reappointment of Ann Blumlein Lazarus to the San Francisco Port Commission for a four-year term ending May 1, 2012.
- Question: Shall this Motion be APPROVED?
25. 080799 [Appointment- Veterans Affairs Commission- Stephen Noetzel]
Motion appointing Stephen Noetzel, term ending January 31, 2012, to the Veterans Affairs Commission.
Stephen Noetzel, succeeding Wallace Levin, term expired, seat 3, must be an at-large appointment, for a four year term ending January 31, 2012.
(Supervisor Duffy dissented in committee.)
- Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Duffy, Ammiano

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

26. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.
- Question: Shall this Charter Amendment be SUBMITTED?
27. 080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.
- Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

28. 080722 [Committee of the Whole - Beilenson Hearing]
Hearing to consider the Department of Public Health's budget eliminating or reducing medical services.

Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, June 16, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 17, 2008.

29. 080350 [Enterprise Zone Tax Credit Law]
Mayor
Draft Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; and to delete an outdated reference to the Private Industry Council and to establish a sunset date.
(Economic Impact.)

6/10/2008, RE-REFERRED to Government Audit and Oversight Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 080348 [Enterprise Zone Designation]
Mayor, Supervisor Peskin
Resolution supporting California Enterprise Zone Designation for the City and County of San Francisco.

6/10/2008, RE-REFERRED to Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

31. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

32. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 33 through 39

33. 080833 [Commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project]
Supervisor Sandoval
Resolution commending the Friends and Advocates of Crocker-Amazon and the Excelsior, the Precita Eyes Mural Center, and the Neighborhood Parks Council on the completion of the Crocker-Amazon Playground Mosaic Tile Project.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
34. 080834 [70 day extension for Planning Commission review - Zoning Map ZN Amendment]
Supervisor Sandoval
Resolution extending by 70 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Zoning Map ZN of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located on the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, One-Family) District to NC-3 (Moderate-Scale, Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
35. 080835 [Authorizing the Department of the Environment to develop a proposal for an environmental education program based on the EcoMedia term sheet]
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to develop a proposal for an EcoZone environmental education program for San Francisco, based on the EcoMedia term sheet.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

36. 080836 [Application to California State Department of Housing and Community Development for BEGIN Program funding]
Supervisor Daly
Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 080837 [Honoring Belinda Bellinger]
Supervisor Daly
Resolution commending Belinda Bellinger for her service to the youth of San Francisco and wishing her well until she returns to our great city.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 080838 [Urging Congress to hold hearings on House Resolution 676]
Supervisor Ammiano
Resolution Urging the United States House of Representatives to begin hearings on House Resolution 676 – The United States National Health Insurance Act (Expanded and Improved Medicare for All) authored by Representative John Conyers, Jr. (D - MI).
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 080839 [Requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at SFO will retain their tips]
Supervisor Ammiano
Resolution requesting the City Attorney investigate the City's options to ensure skycaps and other service workers at the San Francisco International Airport will retain their tips and work with the Los Angeles City Attorney.
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 3, 2008 to June 9, 2008, for reference by President to appropriate committee on June 17, 2008.

None.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 3, 2008 to June 9, 2008, for reference by President to appropriate committee on June 17, 2008.

None.

080548 [Petitions and Communications]

Petitions and Communications received from June 3, 2008 through June 9, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 17, 2008

From various City Departments, submitting list of sole source contracts entered into during fiscal year 2007-2008: (1)

Planning Department
Office of the Public Defender
Department of the Environment

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry on the feasibility of establishing an ALL-WAY STOP at the intersection of Montana Street and Plymouth Avenue. (Reference 20080513-002) (2)

From Department of Human Resources, submitting Interim Annual Salary Ordinance for the fiscal year ending June 30, 2009. Copy: Each Supervisor. (3)

From San Francisco International Airport, submitting a letter to Supervisor McGoldrick requesting consideration of the withdrawal of the Clear Channel Lease Amendment No. 3. File 080078. (4)

From various City Departments, submitting copies of Human Rights Commission - Waiver Request forms: (5)

Animal Care & Control (4 letters)
Department of Human Resources (1 letter)
Fire Department (1 letter)

From concerned citizens, urging the Budget & Finance Committee to approve the Solar Energy Incentive Pilot Program. File 071679, Copy: Each Supervisor, 4 letters. (6)

From Sunset Heights Association of Responsible People, regarding endorsing Gwyneth Borden for appointment to the Planning Commission. File 080700, Copy: Each Supervisor. (7)

From Office of the Clerk of the Board, submitting a notice regarding Mayor Newsom's Notice of Transfer of Function. Copy: Each Supervisor. (8)

From Dr. Ahimsa Porter Sumchai, submitting photographs of Mayor Newsom at the Hunters Point Naval Shipyard. (9)

From James Chaffee, submitting a letter to Department of Telecommunications and Information Services regarding slide shows during City Hall hearing. (10)

From Office of the Public Defender, submitting Public Defender 2007 Annual Report. (11)

From Municipal Transportation Agency, submitting the Municipal Railway (Muni) Overtime Justification Report for FY 2008 (July 1, 2007 – March 7, 2008). (12)

From Municipal Transportation Agency, responding to Supervisor Elsbernd's inquiry on the possibility of installing speed humps on the one block of Wawona Street, between Ulloa and Taraval Streets. (Reference 20080506-003) (13)

From Municipal Transportation Agency, responding to Supervisor Sandoval's inquiry regarding conducting a speed assessment on the 300 Block of Maynard Street. (Reference 20080422-003) (14)

From Public Library Commission, submitting a copy of Library Commission Resolution No. 2008-01 urging the Board to adopt an ordinance to amend the Library Fines and Fees Schedule. File 080749. (15)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests from: (16)

Daniel Calvert Jr., Attorney, SF LAFCo
Cassandra Costello, Legislative Aide to Supervisor McGoldrick
Olivia Scanlon, Legislative Aide to Supervisor Elsbernd

From concerned citizens, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031, 4 letters. (17)

From Kitty Kelly, commenting on various issues regarding Proposition F. Copy: Supervisor Daly. (18)

From Livable City, submitting opposition to offering Municipal Railway's (Muni) Kirkland Yard for development. (19)

From Quickdraw Permit Consulting, submitting an appeal withdrawal on behalf of his client regarding affirmation of the approval of the subject Tentative/Final Map. File 080677, Copy: Each Supervisor. (20)

From Dr. Ahimsa Porter Sumchai, submitting an article regarding the Potrero Power Plant. File 080592, Copy: Each Supervisor. (21)

From Vickie Van Fossen, requesting assistance from Supervisor Daly regarding In-Home Supportive Services Consortium payroll issues. (22)

From Department of Public Health, submitting the annual list of membership organizations for Fiscal Year 2008-2009. (23)

From Marianne Hesse, commenting on Community Justice Courts. (24)

From Mark Gruberg, urging the Board to support the revising of the Board of Appeals surcharges. File 080606, Copy: Each Supervisor. (25)

From Patrick Monette-Shaw, regarding immediate disclosure request for public records. (26)

From Janet Moomaw, urging the Board to reconsider the proposed budget cut to the Disability Evaluation and Advocacy Program under the Department of the Public Health. (27)

From Paul Kangas, requesting signatures for support regarding global warming campaign. (28)

From concerned citizen, submitting copies of letters to Congresswoman Lynn Woolsey regarding various issues and concerns. (29)

From The Rosenberg Family, submitting appreciation to the Board for their expression of sympathy to the Rosenberg family. Copy: Each Supervisor. (30)

From San Francisco Chronicle, regarding consideration to award San Francisco Chronicle and www.sfgate.com the full advertising budget for Type 1 and Type 2 advertising. File 080584, Copy: Each Supervisor. (31)

From Ann Garrison, submitting an article from www.miningweekly.com regarding natural gas. (32)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, June 24, 2008 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE MCGOLDRICK,
ROSS MIRKARIMI, GERARDO SANDOVAL

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership

Budget and Finance Committee

Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

City and School District Select Committee

Supervisors Dufty, Mirkarimi, Alioto-Pier, Commissioners Kim, Mendoza, Mar

City Operations and Neighborhood Services Committee

Supervisors Chu, McGoldrick, Elsbernd

Government Audit and Oversight Committee

Supervisors Peskin, Ammiano, Maxwell

Land Use and Economic Development Committee

Supervisors Maxwell, Sandoval, Peskin

Public Safety Committee

Supervisors Mirkarimi, Maxwell, Dufty

Rules Committee

Supervisors Daly, Dufty, Ammiano

Meeting Days

Wednesday
1:00 PM

1st and 3rd Thursday
3:30 PM

1st and 3rd Thursday
1:00 PM

1st and 3rd Monday
10:00 AM

Monday
1:00 PM

2nd and 4th Monday
10:00 AM

1st and 3rd Thursday
10:00 AM

06-20-06A00 39 WLVD

DOCUMENTS DEPT.

JUN 20 2008

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Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703**

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the Board Meeting Minutes for May 13, 2008 and Special Board of Supervisors Meeting of the Budget and Finance Committee May 14, 2008.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, Ammiano

1. 080628 [Settlement of Lawsuit - CCSF v. Competent Builders, Inc. - \$510,000]
Ordinance authorizing settlement of the lawsuit, entitled City and County of San Francisco v. Competent Builders, Inc., Alameda County Superior Court Case No: RG-05-229-274 (formerly San Francisco Superior Court Case No. CGC-04-437148) in the amount of \$510,000 paid to San Francisco by Competent Builders, Inc., and its subcontractors.
(City Attorney)

6/17/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 080629 [Settlement of Lawsuit - Tamara Josi - \$75,000]
Ordinance authorizing settlement of the lawsuit filed by Tamara Josi against the City and County of San Francisco for \$75,000; the lawsuit was filed on May 9, 2007 in San Francisco Superior Court, Case No. 463219; entitled Tamara Josi, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/17/2008, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 080527 [Requiring Assessor to report reductions of real property assessments]
Supervisors Sandoval, Peskin, Daly
Ordinance amending the San Francisco Administrative Code by adding Section 10.2-9, to require the Assessor to post monthly reports of any reductions of assessed values of real properties.

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 080529 [Requiring Activation of Closed Captions on Television Receivers]
Supervisors Alioto-Pier, Duffy, Ammiano
Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Duffy, McGoldrick

5. 080713 [Appointment - Graffiti Advisory Board, Rebecca Delgado Rottman]
Motion appointing Rebecca Delgado Rottman, term ending April 10, 2009, to the Graffiti Advisory Board.
Rebecca Delgado Rottman, succeeding Deborah Mansfield, resigned, seat 16, must represent private schools or art schools who operate in San Francisco, for unexpired portion of a two-year term ending April 10, 2009.

Question: Shall this Motion be APPROVED?

6. 080714 [Appointment - S. F. Health Authority, Randy L. Wittorp]
Motion appointing Randy L. Wittorp, term ending January 15, 2011, to the San Francisco Health Authority.
Randy L. Wittorp, succeeding Nathan Nayman, term expired, seat 2, must be nominee of Hospital Council of Northern California, for three-year term ending January 15, 2011.

Question: Shall this Motion be APPROVED?

7. 080717 [Appointment - Food Security Task Force, Diana Jensen]
Motion appointing Drana Jensen, term ending March 15, 2009, to the Food Security Task Force; residency requirement waived.
Diana Jensen, seat 5, must be from the Department of Aging and Adult Services of the Human Services Agency, for term ending March 15, 2009.

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Sandoval, Peskin

8. 080095 [Requirements for off-street parking and loading]
Supervisor Peskin
Ordinance amending the San Francisco Planning Code by amending Section 150 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 151 to reduce the required number of parking spaces for housing for seniors and physically handicapped persons, affordable housing, group housing, SRO units and residential care facilities; amending Section 154 to revise the minimum dimensions for off-street parking spaces, to encourage space-efficient parking and to no longer require independently accessible parking and define independently accessible parking to include parking accessed by automated garages or car elevators and valet parking; amending Section 155 to delete a requirement for independently accessible parking and require parking design to prevent bicycle and transit lane conflicts; amending Section 157 to provide for a demonstration that car-share parking cannot satisfy the need for non-accessory parking as a conditional use; amending Section 167 to provide for optional parking in all new residential buildings or conversions to residential buildings of 10 units or more; amending Section 204.5 to allow residential accessory parking, including required spaces, in residential districts to be rented or leased to residents who live in the area; amending Section 303(c)(2)(B) to provide for consideration of whether a use seeking a conditional use permit is providing car-share parking; amending Section 790.10 to include a car-share parking space as part of a community residential parking use; amending Section 890.7 to include a car-share parking space as part of a community residential automobile parking lot use; amending Section 890.8 to include a car-share parking space as part of a community residential automobile parking garage use; and adopting findings.

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

9. 080723 [Interim Consolidated Budget and Annual Appropriation Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency, Fiscal Years 2008-2009 and 2009-2010]
Mayor
Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2009 and for the Municipal Transportation Agency fiscal years ending June 30, 2009 and June 30, 2010.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 080724 [Interim Annual Salary Ordinance, Fiscal Year 2008-2009 and for the Municipal Transportation Agency Fiscal Years 2008-2009 and 2009-2010]
Mayor
Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2009 and for the Municipal Transportation Agency, Fiscal Years ending June 30, 2009 and June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal Impact.)
(Supervisor Daly dissented in committee.)

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Chu

11. 080350 [Enterprise Zone Tax Credit Law]
Mayor
Ordinance amending Section 906A of the Business and Tax Regulations Code to delete the requirement that a new job be created to obtain the Enterprise Zone Tax Credit after the effective date; to apply the credit to all newly hired Qualified Employees; to revise the definition of "Qualified Employee"; to conform the geographical boundaries of the San Francisco Enterprise Zone with the area approved by the State Department of Housing and Community Development; to delete an outdated reference to the Private Industry Council and to establish a sunset date.
(Economic Impact.)

6/10/2008, RE-REFERRED to Government Audit and Oversight Committee.

6/17/2008, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Peskin, Maxwell

12. 080779 [Closure of the Potrero Power Plant]
Supervisors Maxwell, Dufty, McGoldrick, Peskin, Sandoval, Mirkarimi
Resolution urging the Public Utilities Commission and the City Attorney to present to the California Independent System Operator a transmission-only solution to close the entire Potrero Power Plant; and establishing minimum criteria for any in-City generation projects to close the Potrero Power Plant.

6/17/2008, CONTINUED. Continued to June 24, 2008

Question: Shall this Resolution be ADOPTED?

From the Rules Committee Without Recommendation

Present: Supervisors Daly, Dufty, Ammiano

13. 080619 [Providing for appointment rather than election of the City Treasurer]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 3.106, amending Sections 6.100, 13.101, 13.101.5, 13.102, and 14.103, and repealing Section 6.106, to provide for appointment rather than election of the City Treasurer, and set qualifications for the office of Treasurer.

6/17/2008, CONTINUED. Continued to June 24, 2008

Question: Shall this Charter Amendment be SUBMITTED?

14. 080620 [Creating a Public Works Commission, setting its powers and duties; authorizing the Mayor to appoint the Director of Public Works]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.121.5 and amending Sections 3.104, 4.130 and D3.750-4, to create a Public Works Commission and establish its powers and duties, and authorize the Mayor to appoint the Director of Public Works.

6/17/2008, CONTINUED. Continued to June 24, 2008

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors McGoldrick, Elsbernd, Mirkarimi, Daly, Chu

15. 080735 [Disbursements from Budget Savings Incentive Fund FY 08-09]
 Mayor
 Resolution approving disbursements from the Budget Savings Incentive Fund.
 (Fiscal Impact.)
 (Supervisor Daly dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Ammiano, Chu

16. 080277 [Administrative Code Chapter 6 - technical amendments and amendments to contracting
 procedures]
 Supervisor Chu
 Ordinance amending San Francisco Administrative Code Chapter 6 to correct typographical errors in
 Subsections 6.22(B) and 6.22(H)(2)(d), to clarify and revise Subsection 6.22(J) concerning retention
 of progressive payments, to clarify and revise Subsection 6.23(C) concerning the rejection or failure
 of bids, to revise Section 6.61 concerning design-build contracting procedures, and to add a new
 Section 6.28 authorizing the use of integrated project delivery.
17. 080697 [Unrepresented Employees]
 Mayor
 Ordinance fixing compensation for persons employed by the City and County of San Francisco whose
 compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not
 represented by an employee organization, and establishing working schedules and conditions of
 employment and, methods of payment, effective July 1, 2008.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Peskin, Ammiano

18. 080582 [Approval of Agreement between the City and County of San Francisco and Serco, Inc. for Administrative Services in Support of the SFpark Project, for a contract term of two years and an amount not-to-exceed \$22,080,000]
Resolution approving the Agreement between the City and County of San Francisco and Serco, Inc for Administrative Services in Support of the SFpark Project.
(Municipal Transportation Agency)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 080581 [Approval of Sixth Amendment to Agreement with Serco Inc. for parking meter collection and management services, to extend the term by two years and increase the contract amount by \$10,000,000]
Resolution approving the Sixth Amendment to the Agreement between Serco Management Systems, Inc. and the City and County of San Francisco, through the San Francisco Municipal Transportation Agency.
(Municipal Transportation Agency)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. 080689 [Presidio and City and County of San Francisco Transportation Work Group]
Supervisor Alioto-Pier
Resolution establishing the Presidio and City and County of San Francisco Transportation Work Group.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Duffy, McGoldrick

21. 080613 [Local Business Enterprise and Non-Discrimination in Contracting Ordinance shall terminate 120 days after the injunction in Coral v. Construction, Inc. (S.F. Sup. Ct. No. 421249) is lifted or stayed]
Mayor, Supervisor Alioto-Pier
Ordinance amending the Administrative Code 14B.18 to suspend enforcement of 14.B and reinstate Chapter 12D.A. 120 days after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 080614 [Extending the Expiration date of the MBE/WBE/LBE Ordinance]
Mayor, Supervisor Alioto-Pier
Ordinance extending the expiration date of Chapter 12D.A, the City's Minority/Women/Local Business Utilization program until one year after the injunction in Coral Construction, Inc. v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Duffy

23. 080699 [Appointment, Planning Commission - Gwyneth Borden]
Mayor
Motion approving the Mayor's appointment of Gwyneth Borden to the Planning Commission term ending July 1, 2010.
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 080700. Transmittal date – May 19, 2008.)

Question: Shall this Motion be APPROVED?

Present: Supervisors Daly, McGoldrick

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

24. 080643 [City Elections In Even-Numbered Years]
Supervisor McGoldrick
Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

25. 070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

7/24/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board Members.

Continued to September 18, 2007

9/18/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

10/2/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

10/30/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

11/13/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

12/4/2007, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

1/8/2008, CONTINUED. Continued to January 29, 2008

1/29/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to February 26, 2008

2/26/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 11, 2008

3/11/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to March 25, 2008

3/25/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to April 22, 2008

4/22/2008, CONTINUED. Continued to May 20, 2008

5/20/2008, CONTINUED. The President inquired as to whether or not any member of the public wished to address the Board members.

Continued to June 3, 2008

6/3/2008, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members.

Continued to June 24, 2008

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008
6/3/2008, CONTINUED. Continued to June 24, 2008

Question: Shall this Motion be APPROVED?

27. 070912 [Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008
6/3/2008, CONTINUED. Continued to June 24, 2008

Question: Shall this Motion be APPROVED?

28. 070913 [Preparation of findings related to the 3424 Jackson Street project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 7/24/2007, CONTINUED. Continued to September 18, 2007
9/18/2007, CONTINUED. Continued to October 2, 2007
10/2/2007, CONTINUED. Continued to October 30, 2007
10/30/2007, CONTINUED. Continued to November 13, 2007
11/13/2007, CONTINUED. Continued to December 4, 2007
12/4/2007, CONTINUED. Continued to January 8, 2008
1/8/2008, CONTINUED. Continued to January 29, 2008
1/29/2008, CONTINUED. Continued to February 26, 2008
2/26/2008, CONTINUED. Continued to March 11, 2008
3/11/2008, CONTINUED. Continued to March 25, 2008
3/25/2008, CONTINUED. Continued to April 22, 2008
4/22/2008, CONTINUED. Continued to May 20, 2008
5/20/2008, CONTINUED. Continued to June 3, 2008
6/3/2008, CONTINUED. Continued to June 24, 2008
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered at a Budget and Finance Special Meeting on Thursday, June 19, 2008 at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, June 24, 2008.

29. 080662 [Fees for Processing a Redemption of Tax Defaulted Property or a Secured Property Tax Second Installment Delinquency Notice]
Mayor, Supervisor McGoldrick
Ordinance amending the San Francisco Administrative Code by amending Section 8.34.1, to authorize the Tax Collector to charge a fee of \$55.00 to cover the cost of processing a redemption of property that is in default due to the failure to pay property tax and a fee of \$45.00 to cover the cost of processing a delinquency notice on the second installment of each separate valuation on the secured property tax roll, and to provide for an automatic adjustment of the fees for inflation.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
30. 080766 [De-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and Re-appropriating \$2,500,000 to the General Fund for Fiscal Year 2007-2008]
Mayor
Ordinance de-appropriating \$2,500,000 of Hotel Room Tax from the Low Income Housing Program and re-appropriating \$2,500,000 to the General Fund in the Mayor's Office for Fiscal Year 2007-2008.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

**31. 080767 [Redevelopment Agency Budget]
Mayor**

Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2007-08 by increasing the Agency's tax increment receipts for Affordable Housing activities and authorizing expenditure in an amount not to exceed \$22,401,050 by authorizing a cooperation agreement with the City and County of San Francisco, and authorizing the Agency to increase its annual statement of indebtedness by a like amount not to exceed \$22,401,050, all Redevelopment Project Areas.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use and Economic Development Committee on Monday, June 23, 2008 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 24, 2008.

**32. 080576 [Approval of a one year extension for Planning Commission review of neighborhood impact fees]
Supervisor Alioto-Pier**

Resolution extending by an additional 365 days (one year) the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Sections 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

The following item will be considered at a Special Rules Meeting on Tuesday, June 24, 2008 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, June 24, 2008.

**33. 080885 [Appointment, Board of Appeals - Rafael Mandleman]
Supervisor Peskin**

Motion approving Board of Supervisors President Peskin's appointment of Rafael Mandleman to the Board of Appeals for the unexpired balance of the term ending July 1, 2010.

Question: Shall this Motion be APPROVED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 36 through 46

36. 080898 [Commending Dennis Richmond on his 40 year career at KTVU]
Supervisor Dufty
Resolution commending Dennis Richmond on his 40 year career at KTVU.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
37. 080899 [Congratulating the opening of the Contemporary Jewish Museum on June 8, 2008]
Supervisors Dufty, Peskin
Resolution congratulating the opening of the Contemporary Jewish Museum in the City and County of San Francisco on June 8, 2008.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
38. 080900 [Commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival]
Supervisors Dufty, Ammiano
Resolution commending Michael Lumpkin on 28 years of dedication to Frameline and the San Francisco International LGBT Film Festival.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
39. 080901 [Grant to fund a study through the HIV Prevention Section, Department of Public Health - \$10,566]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$10,566 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole to Reduce Methamphetamine Use among MSM with HIV," for the period of September 28, 2007 through July 31, 2008.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

40. 080902 [Grant to fund a study through the HIV Prevention Section, Department of Public Health - \$12,680]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of \$12,680 from the Public Health Foundation Enterprises (PHFE), the primary contractor, with funds from the National Institutes of Health, to support a study entitled "Aripiprazole Treatment for Methamphetamine Using MSM," for the period of August 1, 2007 through July 31, 2008.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?**
41. 080903 [In support of Senate Bill 1420 - Nutritional Information on Menus and Menu Boards]
Supervisor Ammiano
Resolution supporting Senate Bill 1420—Nutritional Information on Menus and Menu Boards.
- 6/17/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
42. 080636 [Final Map - 766 Harrison Street]
Motion approving Final Map 4566, a 98 Residential Unit and 5 Commercial Unit Mixed-Use Condominium Project, located at 766 Harrison Street being a subdivision of Lot 153 in Assessors Block No. 3751 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,548; District 6.)
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
43. 080721 [Final Map - 1115 - 1125 Noe Street]
Motion approving Final Map 3598, a 6 Unit Residential Condominium Project, located at 1115 – 1125 Noe Street being a subdivision of Lot 024A in Assessors Block No. 6508 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,571; District 8.)
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
44. 080790 [Final Map - 1 Polk Street]
Motion approving Final Map 4587, a 179 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 1 Polk Street being a subdivision of Lot 022 in Assessors Block No. 0814 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 177,581; District 6.)
- 6/10/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**

45. 080795 [Final Map - Planned Development - Mission Bay]

Motion approving Final Map No. 4375 Planned Development Mission Bay, a ten (10) lot subdivision, being a Merger and Resubdivision of Lot A, Lot 6, Lot 9 and Lot 10 as shown on that certain final entitled "FINAL MAP PLANNED DEVELOPMENT MISSION BAY" filed for record on January 25, 2001 in Book Z of Maps, at Pages 154-162, Records of the City and County of San Francisco; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.

(Public Works Department)

(DPW Order 177,602.)

6/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

46. 080841 [Final Map - 300 Berry Street]

Motion approving Final Map 4007, a one-lot subdivision for condominium purposes, being a 270-unit mixed-use condominium project of Lot 6 in Assessors Block No. 8704, located at 300 Berry Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 177,597; District 6.)

6/12/2008, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

47. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolution(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 10, 2008 to June 16, 2008, for reference by President to appropriate committee on June 24, 2008.

- 080856** [Mission Bay South-Acceptance of Land and Improvements on Third Street for Blocks 17, 20 and 23]
Ordinance accepting the Mission Bay Blocks 17, 20, 23 Public Improvements-Phase 1; approving the dedication of the strip of land 5.00 feet in width, along the west side of Third Street for right-of-way purposes; designating street grades and sidewalk widths; accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,603; and authorizing official acts in connection with this ordinance.
(Public Works Department)

6/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

- 080857** [Mission Bay South-Acceptance of Land and Improvements for the 7th and 16th Street Intersection]
Ordinance accepting the dedication for public street and roadway purposes of the two (2) portions of properties adjacent to 16th Street and accepting the irrevocable offer for the 7th and 16th Street Intersection Infrastructure Improvements; designating street grades and accepting the irrevocable offer for the acquisition facilities for public use and maintenance purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, eight priority policy findings of City's Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 177,604; and authorizing official acts in connection with this ordinance.
(Public Works Department)

6/11/2008, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolution received from June 10, 2008 to June 16, 2008, for reference by President to appropriate committee on June 24, 2008.

- 080854** [Amendment to Contract with Geomatrix Consultants, Inc.]
Resolution approving an amendment to the contract with Geomatrix Consultants, Inc. to extend the term through June 30, 2009, to modify the scope of services, and to increase the contract by an amount not to exceed \$180,000 for a new total amount not to exceed \$1,439,000 for environmental consulting services.

6/16/2008, RECEIVED AND ASSIGNED to Budget and Finance Committee.

080549 [Petitions and Communications]

Petitions and Communications received from June 10, 2008 through June 16, 2008 for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on June 24, 2008.

From Department on the Status of Women, submitting Violence Against Women Prevention and Intervention (VAW) Grants Program FY 2008-2009 Funding Allocations. Copy: Each Supervisor. (1)

From various City Departments, submitting copies of Human Rights Commission – Waiver Request forms: (2)

Fire Department (2 forms)
Office of the District Attorney (1 form)

From Lennar Corporation, submitting a letter to Mayor Newsom regarding Mixed-Use Development Project for Hunters Point Shipyard. Copy: Each Supervisor. (3)

From Maria Kolins, urging the Board to hold hearings to evaluate the purposes and practices of the San Francisco Zoo. File 080031, Copy: Each Supervisor. (4)

From Alvin Johnson, commenting on Family and Medical Leave Act (FMLA) and family leave of absence request. (5)

From Chevron Corporation, submitting a letter to Supervisor Ammiano regarding proposed resolution on condemning Chevron Corporation for its domestic and international business practices. File 080788, Copy: Each Supervisor. (6)

From Strider Wise, commenting on the proposed re-routing of 48 Muni line. (7)

From Office of the Budget Analyst, submitting a report of Fixed Post Staffing Analysis of the Sheriff's Department. (8)

From Planning Department, submitting San Francisco General Hospital Seismic Compliance, Hospital Replacement Program - Comments and Responses. Copy: Each Supervisor. (9)

From Carole Baker, commenting on the intersection at the corner of Castenada Avenue and Montalvo Avenue located in District 7. Copy: Supervisor Elsbernd. (10)

From Office of the Controller, responding to Supervisor Elsbernd's request regarding performance measurement of Community Safety Cameras and the ShotSpotter Gunshot Location System. (11)

From concerned citizen, submitting Abuse News #3686 and #3688 by John Jenkel regarding United States military forces in Iraq. (12)

From Dean Hughes, commenting on the condemnation of Chevron Corporation. File 080788, Copy: Each Supervisor. (13)

From Office of the Controller, submitting a cost analysis of the Unrepresented Employees Ordinance for FY July 1, 2008 – June 30, 2009. File 080697. (14)

From U.S. Army Corps. of Engineers, submitting public notice regarding Project: Emergency Repairs (Regional General Permit 5). (15)

From Alvin Johnson, submitting an e-mail from March 22, 2005 regarding a request to file a grievance against Joseph John from Department of Telecommunications and Information Services. (16)

From Alvin Johnson, submitting an e-mail from November 16, 2007 regarding unanswered Reasonable Accommodation Request. (17)

From Neil Signo, commenting on over-time compensation issues. (18)

From Laura Carroll, submitting a letter regarding Mayor's Office of Housing's refusal to give written responses to homeowners about the proposed changes in the Condominium Conversion Program. File 080520. (19)

From Alvin Johnson, submitting an e-mail from July 1, 2005 regarding a purchase order for maintenance renewal. (20)

From Neil Signo, supporting the City's Eviction Prevention and Assistance Programs. (21)

From Alvin Johnson, submitting an e-mail from October 3, 2005 regarding retaliatory act complaints. (22)

From concerned citizen, submitting an article from www.sfweekly.com regarding San Francisco Society for the Prevention of Cruelty to Animals (SF/SPCA). (23)

From Alvin Johnson, submitting an e-mail from October 3, 2005 regarding various complaints. (24)

From concerned citizens, urging the Board to vote against the proposed ordinance adjusting existing library fees. File 080749, Copy: Each Supervisor, 3 letters. (25)

From State of California Fish and Game Commission, submitting a copy of the continuation notice of proposed regulatory action relating to Klamath River Sport Fishing. (26)

From concerned citizens, urging the Board to support the proposed legislation on Recreation and Park – San Francisco Zoo new policies and oversight. File 080818, Copy: Each Supervisor, 30 letters. (27)

From Alvin Johnson, submitting various e-mails from July of 2006 regarding filing a report of retaliation, harassment and hostile work environment. 2 letters. (28)

From Alvin Johnson, submitting an e-mail from July 30, 2006 regarding VPN requested ignored. (29)

From Timothy Johnston, urging the Board to support the resolution urging the United States House of Representatives to begin hearings on House Resolution 676. File 080838, Copy: Each Supervisor. (30)

From League of Women Voters of San Francisco, regarding replacing League Representative to the Ballot Simplification Committee (BSC) with the Board Chair of the Communications Committee. Copy: Each Supervisor. (31)

From Montessori Children's Center, submitting a letter of appreciation to the Board for their expression of sympathy to the York family. Copy: Each Supervisor. (32)

From Coalition for San Francisco Neighborhoods, urging the Board to hold public hearings regarding the Academy of Art University converting over 700 units of housing without the required permits.(33)

From concerned citizens, submitting petition regarding a request to the Planning Commission to consider a plan modification relating to the Eastern Soma Plan. (34)

From Brad Johnson, submitting opposition to the Humanitarian Art Ordinance under the Animal Control and Welfare Commission. Copy: Each Supervisor. (35)

From Parkmerced Residents' Organization, commenting on Bay View Hunter's Point Area Plan and Eastern Neighborhoods Plan. Copy: Each Supervisor. (36)

From Parkmerced Residents' Organization, submitting support on the proposed Charter Amendment regarding creating a Landmarks Preservation Board. File 080650, Copy: Each Supervisor. (37)

From Alvin Johnson, submitting an e-mail from October 10, 2006 regarding Department of Telecommunications and Information Services and Department of Human Resources investigation status. (38)

From Sunshine Ordinance Task Force (SOTF), regarding complaint #08013 complaint of Kim Crossman and the March 25, 2008 Order of Determination against Frank Darby. Copy: Each Supervisor. (39)

From Mayor Newsom, submitting a notice to the Board regarding insufficient funding to provide a Consumer Price Index (CPI) increase to contracts relating to the Minimum Compensation Ordinance for fiscal year 2008-09. Copy: Each Supervisor. (40)

From Al Ujcic, commenting on unsolicited print publications – stop distribution notice. File 080380. (41)

From Cephan Wong, submitting opposition to the Human Services Agency's proposed budget cut of funds relating to APA/APIFRN. (42)

From Alvin Johnson, regarding a filed grievance with Blue Shield of California concerning termination of medical benefits by the Health Service System. (43)

From Office of the Controller, submitting a report regarding the Mayor's Proposed Budget [Revenue Letter] for Fiscal Year 2008-09. File 080770. (44)

From Office of Small Business, commenting on the possible creation of a green and sustainable home improvement district along the Bayshore Boulevard corridor. (Reference 20080429-005) Copy: Supervisor Duffy, Supervisor Maxwell and Supervisor Ammiano. (45)

From Janette Barroca, submitting a letter regarding suspicious activity in the Marina District. (46)

From Parkmerced Residents' Organization, commenting on plans and provisions for rental housing developments. Copy: Each Supervisor. (47)

From various associations, submitting comments to Mayor Newsom regarding City's Combustion Turbine Peaker Project. File 080523, Copy: Each Supervisor. (48)

From Abdalla Megahed, submitting a complaint regarding his removal from 150 Otis Shelter. (49)

From Alvin Johnson, submitting an e-mail from August 17, 2007 regarding his absence with out leave status (50)

From Planning Department, submitting Certificate of Determination – Exemption from Environmental Review. Copy: Each Supervisor. (51)

APPOINTMENTS BY THE MAYOR

Police Commission

David Onck

ADJOURNMENT



